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HEARING
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON INTERSTATE COMMERCE
UNITED STATES SENATE STANFORD
LIBRARIES
SIXTY-SIXTH CONGRESS
SECOND SESSION
ON

P111-94

S. 4204

BILL TO PROHIBIT INTERFERENCE WITH COMMERCE

AND

S. 4210

TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE TERMINATION OF FEDERAL CONTROL OF RAILROADS AND SYSTEMS OF TRANSPORTATION; TO PROVIDE FOR THE SETTLEMENT OF DISPUTES BETWEEN CARRIERS AND THEIR EMPLOYEES; TO FURTHER AMEND AN ACT ENTITLED 'AN ACT TO REGULATE COMMERCE,' APPROVED FEBRUARY 4, 1887, AS AMENDED, AND FOR OTHER PURPOSES."

THURSDAY, MAY 20, 1920

FRIDAY, MAY 21, 1920

Printed for the use of the Committee on Interstate Commerce

WASHINGTON

COMMITTEE ON INTERSTATE COMMERCE.

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PROPOSED ANTISTRIKE LEGISLATION.

THURSDAY, MAY 20, 1920.

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE COMMERCE,
Washington D. C.

The subcommittee met in the committee room, Capitol, at 10.30 o'clock a. m., pursuant to call, Senator Miles Poindexter presiding.

The committee had under consideration the bills S. 4210 and S. 4204, as follows:

[S. 4410, Sixty-sixth Congress, second session.]

A BILL To amend an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (f) of section 206, of the act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," be, and the same hereby is, amended by inserting after the word "carriers" a comma, and the words: "receivers of carriers," followed by a comma, so that the paragraph as amended shall read as follows:

"(f) The period of Federal control shall not be computed as a part of the periods of limitation in actions against carriers, receivers of carriers, or in claims for reparation to the commission for causes of action arising prior to Federal control."

[S. 4204, Sixty-sixth Congress, second session.]

In the Senate of the United States, April 12, 1920: Mr. Poindexter introduced the following bill; which was read twice and referred to the Committee on Interstate Commerce. May 24 (calendar day, May 29), 1920: Reported by Mr. Poindexter, with amendments.

[Omit the part struck through and insert the part printed in italic.]

A BILL TO PROHIBIT INTERFERENCE WITH COMMERCE.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever with intent to obstruct, delay, hinder, or prevent the movement of commodities in commerce with foreign nations or among the several States shall by word of mouth, or by the presentation, exhibition, or circulation of written or printed words, or otherwise, solicit, advise, induce, or persuade, or attempt to induce or persuade any person or persons employed by any carrier subject to the act to regulate commerce, or amendments thereto, in any capacity in the production, care, maintenance, or operation of any means or agency of such commerce to quit such employment shall be guilty of a felony and punished by a fine not exceeding \$10,000, or by imprisonment not exceeding ten years, or by both such fine and imprisonment.

Sec. 2. That whoever, with intent to obstruct, delay, impede, hinder, or prevent the movement of commodities in commerce with foreign nations or among the several States shall by force or violence, or by threats or menace of any kind to prevent or seek to prevent any person from engaging in employment or from continuing in

employment in any capacity in the production, care, maintenance, or operation of any means or agency of such commerce shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$15,000, or by imprisonment for *not exceeding* fifteen years, or by both such fine and imprisonment.

SEC. 3. That whoever, with intent to obstruct, delay, hinder, impede, or prevent the movement of commodities in commerce with foreign nations or among the several States shall injure, disable, or destroy any car, bridge, track, ship, or any other means or agency of such commerce or shall with like intent solicit, advise, induce, or persuade others to do so, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of *not exceeding* \$10,000, or by imprisonment for *not exceeding* ten years, or by both such fine and imprisonment.

SEC. 4. That it shall be unlawful for two or more persons, being officers, directors, managers, agents, attorneys, or employees of any carrier or carriers subject to the act to regulate commerce, as amended, for the purpose of maintaining, adjusting, or settling any dispute, demand, or controversy which, under the provisions of this act, can be submitted for decision to the Committee of Wages and Working Conditions or to a regional board of adjustment, to enter into any combination, or agreement with the intent substantially to hinder, restrain, or prevent the operation of trains or other facilities of transportation for the movement of commodities or persons in interstate commerce, or in pursuance of any such combination or agreement and with like purpose substantially to hinder, restrain, or prevent the operation of trains or other facilities of transportation for the movement of commodities or persons in interstate commerce; and upon conviction any such persons shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

SEC. 5. That nothing in this act shall be taken to deny to any individual the right to quit his employment for any reason.

The CHAIRMAN. The committee will come to order. The committee has been informed that certain members of the American Federation of Labor desired to be heard on these bills, and the hearing to-day is in pursuance to that request. Is there anyone present representing the American Federation of Labor?

STATEMENT OF HENRY STERLING, LEGISLATIVE REPRESENTATIVE, AMERICAN FEDERATION OF LABOR, WASHINGTON, D. C.

Mr. STERLING. Mr. Chairman, I was called upon somewhat unexpectedly at the last minute to represent the American Federation of Labor in opposition to these bills. I think I voice the opinion of the American Federation of Labor, with its 4,000,000 members, when I make this protest as strong as possible. The spirit of these bills, and the spirit which animated those who drew them, was the most striking feature of the bills. The idea that there is anyone anywhere who can say to the free-born American, "You must go to work or go to jail" is contrary to all of our concepts of liberty and the traditions of the United States.

It is easy to say that the only difference between the black labor of the South and the white labor of the North before the war was the white labor's right to quit. The black labor had to stand for anything, because it had no right to quit, and the white labor, if it is to be free from imposition, has got to maintain the right to quit.

There have been vast wrongs done at various times toward the laboring classes, and the only remedy for them was bound to be the strike—the only direct remedy. The condition of the coal miners was shocking and deplorable in the coal mining districts before the strike of 1902. It has been much better since then, but is not yet what it ought to be. The strike of 1902 gave them 10 cents more on a ton for digging coal, and immediately the employers added 50 cents to the price. That has been the cause of complaint against the working

people. The public, somehow or other, seems to think that if the laboring men would only refrain from asking for their 10 cents, then the corporations would not charge the 50 cents, and the public waxes quite indignant because the laboring men refuse to stay on at work under conditions that he thinks oppressive, and simply exercises his right to quit work.

Perhaps the condition that he would be in could be well illustrated by the small boy in the street who goes along whistling, and he sees a mongrel cur on the curb and walks up and kicks him, and the cur rolls over, yelps and runs away, and the boy thinks he has achieved a victory of some kind, and he walks on a little further and he sees another dog with the undershot jaw and a scowl on his face, and the boy does not kick that dog, because the dog has the right and the power to resent it. He knows very well that the dog will bite, and the boy does not kick it. That is what we aim at when we mean to maintain the power to strike.

Now, of these corporations, I desire to mention a few which have made various sums, and each and all of them are protesting against the working men stopping labor, and would be willing if they knew of this bill being pending, to give it their hearty support.

The corporations I refer to are as follows:

Continental Oil, 200 per cent.

United Fuel Gas, 200 per cent.

Ohio Fuel Supply, 100 per cent.

Nonquit Spinning Co., 100 per cent.

Amoskeag Cotton Manufacturing Co., 100 per cent.

Stutz Motors, 100 per cent.

Nashua Manufacturing Co., 100 per cent.

American Tobacco Security Co., 75 per cent.

Manomet Mills, 55 $\frac{1}{2}$ per cent.

Hood Rubber Co., 66 $\frac{2}{3}$ per cent.

Crucible Steel, 50 per cent.

Cleveland-Akron Bag, 50 per cent.

Union Bag & Paper, 50 per cent.

National Candy Co.'s earnings last year showed an increase of 545 per cent over 1915.

Burns Bros., the largest retail coal dealers in the United States, made a net profit of 40 cents a ton.

United Drug Co., doing a business of \$50,000,000 annually, were 242 per cent greater than 1916.

American Ice Co. increased its earnings 283 per cent in the last four years.

The net earnings of the United States Steel Corporation for 1918, as shown by the annual report, after payment of ordinary taxes (excluding income, war, and excess-profits taxes), and after deducting approximately \$100,000,000 for ordinary repair and maintenance, amounted to \$549,180,000. The United States Steel Corporation could have afforded to reduce by \$30 per ton the price of every ton of rolled steel and other finished products sold at home and abroad, or, say, by \$423,749,000. And even then its net earnings would have amounted to about \$101,000,000, or enough to pay 7 per cent dividends on the steel company's common and preferred stock, after providing for interest and sinking fund and other charges. In the

past two years this corporation has made more than \$1,000,000,000 of profits.

Up in New England to-day there are thousands upon thousands of laboring men and women who in all the mills and factories of Massachusetts in 1918 received an average wage of \$944. It has taken one or two strikes to get that settlement, and threatened strikes more than once to get up that figure. If, however, they had known that they were going to jail if they went on a strike, the company might possibly have made 150 per cent, instead of 100 per cent, which they did make, and the working people suffered the consequences. How much good the strike has done is worth a moment's consideration. In 1904 there was a strike in the meat packers' establishment in Chicago, and it was lost. Last year there was another strike there and that was won. But for the power of the workers to strike the public would be paying the same price for meat to-day, and the laboring people would be getting 20 per cent less in their wages, and the meat packers would be reaping the difference. There are some conditions that are worse than strikes. A degraded, demoralized, subservient, terrorized body of workers is far worse than strike. The United States Steel Corporation is one corporation which refused to negotiate with its workers and suffered a strike last year. The net earnings of that corporation for 1918, as I have stated, as shown by its own annual report, after the payment of ordinary taxes, excluding income, war, and excess profits, after deducting nearly \$100,000 for ordinary repairs and maintenance, amounted to \$549,000.

The CHAIRMAN. I want to refrain from interrupting you, but I just want, while we are on that subject, to ask you one question. You are pointing out the exorbitant profits of these companies. I have no doubt they exist in many instances and constitute a public offense; we will admit that they do and that it is a condition within the cognizance of the public. Now you also stated, as I understood you a moment ago, that so far from mitigating that evil the strikes have increased it, or at least that when wages were increased profiteering was increased in larger proportion?

Mr. STERLING. Often the increased wages is used for an excuse for profiteering still more.

The CHAIRMAN. So that there is no relief from profiteering?

Mr. STERLING. Through the strike?

The CHAIRMAN. Through the strike; yes.

Mr. STERLING. No, sir. What is the point that you intended to make by that?

The CHAIRMAN. Well, that will have to be a matter for each man to treat according to his own conclusion. I just want to point out the fact; I ask you if it is not a fact?

Mr. STERLING. I would like to point out the fact that some weeks ago there was a story in the papers about the plumbers down in Alabama who had raised their prices to \$12 a day, I think it was, and it was thought to be an exorbitant price, and there was a demand that something be done about it. Those same papers did not point out the fact that one man in this country was getting \$125,000 per day, and he did not work for it either. There is a thousand times as much as that man got as a plumber, and the plumber did some useful work for his wages. The papers and the legislators, to some

extent, have protested against that plumber, but why do they not protest against the \$125,000, and why have we not seen some action taken on these exorbitant profits by those corporations? No; Congress has busied itself with attempting to keep the men at work regardless of conditions.

The railroads to-day are badly hampered by congested freight traffic because the men will not work for the wages and under the conditions offered. It is a matter of wages rather than anything else. If you offer a switchman enough to induce him to go back to work, he will go.

Now, Mr. Chairman, we simply protest against this kind of legislation until after you have passed some legislation that will prevent the corporations from exploiting us workers.

The CHAIRMAN. This legislation only applies to interstate and foreign commerce. The general impression is that there is more than the question of wages involved in the switchmen's strike.

Mr. STERLING. Senator Edge's bill goes further, does it not, and applies to everybody, or those, at least, working in the basic industries?

The CHAIRMAN. Well, it may be the intention of Senator Edge's bill to do that. Personally, I do not think that Congress has jurisdiction to go into those things. What we are particularly interested in—

Mr. STERLING. Pardon me, Mr. Chairman, but how long since Congress acquired jurisdiction broad enough to enter the field that your bill enters into? They did not have it originally?

The CHAIRMAN. They acquired that when the Constitution was adopted, to regulate interstate commerce. But what I was going to ask you is, do you claim that the railroads are making exorbitant profits?

Mr. STERLING. I do not claim anything of the kind. I do not know what profits they are making. I have only mentioned some other companies besides railroad companies, and I might have got up a list—where we got up a list of ten or a dozen, I suppose I might have gotten up a list of 50 or 100.

The CHAIRMAN. I think that is true.

Mr. STERLING. And where the highest one that I have mentioned is getting 100 per cent, I guess I could have gotten them at 900 per cent or 1,000 per cent, perhaps.

Now, the point I want to make in the use of that is why Congress can not do something about that instead of doing something to drive the working men to work. There was no great advertising of this hearing this morning. I did not have an opportunity to confer with many of our people, Mr. Chairman, but if those people took this legislation seriously and thought anything would come of it, not only this room but the Capitol building would be filled, and every other available place would be filled with people protesting against it.

Besides the notes, Mr. Chairman, I have written up a protest to represent what the men themselves might say. I should like to hand this to the reporter for insertion in the record at the conclusion of my remarks.

The CHAIRMAN. That will be incorporated in the hearing.

Mr. STERLING. I think, Senator, that is all I have to say, unless you desire to ask me some questions.

*The CHAIRMAN. I have no questions. Of course, there are many phases of this matter, and there were rather extensive hearings on it, that is on the subject matter of the so-called strike legislation, in connection with the Cummins railroad bill.

Mr. STERLING. Yes; there were.

The CHAIRMAN. It was thought at that time that the subject was pretty well exhausted in so far as anyone desiring to state their views is concerned. I called this hearing this morning almost entirely in response to your request.

Mr. STERLING. We wanted to be heard if it was expected that the bill was going through.

The CHAIRMAN. Of course that is the purpose of its introduction, that when a bill is presented it will go through, but whether it shall go through or not is a subject of a multitude of contingencies that you are familiar with in our Government, and nobody can state whether or not a bill will go through.

I will say for your information—you may be informed already—that this subcommittee to which the bill was referred, has acted favorably upon it, and that a full committee, acting upon the report of the subcommittee, unanimously, so far as those who were present at the meeting were concerned, authorized a favorable report to the Senate with a few changes. The changes were that the antistrike clause of the Cummins railroad bill should be incorporated with the bill that I introduced covering different aspects of the matter, and that a clause should be introduced in the bill limiting its effect in express terms to the officers and other employees of the carriers that are subject to the interstate commerce act. I say that so that you may be fully advised about the status of the matter.

Mr. STERLING. The chief reason alleged for the enactment of the antistrike legislation is the convenience of the public. The public must not be inconvenienced. The public must have everything come its way, just as it should come; but, did it ever occur to you, Senator, that the public does not give a damn for the man who works? Unless he kicks and squirms and stops working he never gets a remedy for anything.

The public is like the priest and the Levite that passed over on the other side. The public is the one great sinner in the industrial field. The public makes all its conditions and controls them. It is not alone that the public is indifferent; it is positively criminal in its indifference at times. The children in the mills in the South might work themselves to death and the public would not care. It is only when the agitator comes along and points out what is the offense to the public conscience. They never will notice it unless it is pointed out. The only wrongdoer in the industrial conflict is the so-called innocent third party, and as soon as we who work for a living take some effective measures for our own welfare, then you want to put us in jail.

I think, Mr. Chairman, that is all I wish to say.

The CHAIRMAN. Is there any other representative of the American Federation of Labor who desires to be heard?

Mr. STERLING. I do not know whether there is or not.

The CHAIRMAN. Or any opponents? I would be glad to hear especially from the opposition to the bill.

Mr. STERLING. I do not know whether there is any friend or opponent present.

(The document referred to by Mr. Sterling, in the preceding part of his testimony is here printed in full, as follows:)

As a representative of the American Federation of Labor I desire most emphatically to protest against S. 4204.

It is the most drastic measure ever proposed to prohibit the normal activities of labor. No country except Bolshevik Russia would have sought to thus hamper the spirit of democracy in the interest of unfair employers.

It is not an honest bill. It makes no pretense to honesty. Every word and every line shows detestation and hatred for men who work for wages.

America has become great because the individual freeman has been allowed independence and initiative. Why should Congress, and especially this committee, give its time in trying to conceive some law that would establish involuntary servitude in the United States?

The trade-union movement, against which this bill is directed, is striving for the continued economic advancement of the people, to insure to each individual the right of self-development, independence, and freedom of initiative. The law you propose takes away the independence of the individual and makes him an economic slave.

You desire to place the employees of the railroads, the mines, and of any great industry under the autocratic subjection of the employers the same as Government employees. You control the destiny of Government employees. You fix their wages, their hours and conditions of employment. They must abide by your decision. But it is a sad commentary on the Congress of the United States that there is not a Government employee working by the week or month that is receiving a proper wage.

No people suffered more during the war than the Government employees and Congress practically sat silent through all appeals for redress.

Take away the right of initiative of the employees of the railroads, the mines and other industries and you place them in the same condition of servitude as Government employees. If they have any grievances and the employers refuse to remedy them there is no recourse. They must accept without question any burdens the employers seek to thrust upon them.

Section 1 of the act makes it impossible for anyone to take an active part in a union meeting or out of it in the interest of himself and fellow man. Free speech, free assembly and free press are forbidden.

So jealous were the founders of our Government of the rights of the people that the first amendment to the Constitution adopted by the first Congress in 1789 provided:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peacefully to assemble, and to petition the Government for a redress of grievances."

Is it possible that Members of Congress can not understand the danger to a democracy from such a law? Can men of intelligence sit calmly while such pernicious legislation is being considered without fear of the consequences of its adoption? Can it be possible that the members of this committee are seriously thinking of approving this bill?

It has been said, and frequently, that the bill is in the interest of the propaganda against labor. Every effort has been made since the armistice to discredit labor, to make it appear that it was a vicious, anarchistic, bolshevistic combination of un-American people.

It is also a strange fact that every man who denounces labor as demanding too much never utters a word in condemnation of the profiteers that are sucking the life blood of our nation.

Such a law would not prevent strikes. They never have where they have been enforced.

The bill, in the last analysis, provides for the legal conscription of labor, and conscription to operate the railroads, mines, or any other industry in order that the companies may perform their obligation to society is not within the realm of their constituted authority and power and rights.

The bill ignores any reason that would cause a controversy between employer and employee no matter how just the grievances of employees. Only after a strike occurs does the law begin to operate. It does not provide anything in the way of conciliation or mediation. It does not even provide for compulsory arbitration, but it says to the employees:

"No matter what grievances you have against your employers you must remain at work; you must not talk to each other about your grievances; you must not hold

meetings; you must not write letters or print your thoughts about these grievances, if you do not want to pay a fine of \$10,000, or go to prison for 10 years, or both."

Some States provide \$5,000 as the extreme amount that can be collected by the heirs of a man killed in industry. If any workman should tell another that he does not propose to work under the conditions forced upon him, he can be fined \$10,000. Is there anything fair in this? Does this not prove that our lawmaking body is becoming more autocratic than the Bolshevik government of Russia?

Any proposition presented in Congress for Government ownership of any public utility is frowned upon as a socialistic bill. Still Congress is indorsing socialism when it seeks to declare that men shall work whether they want to or not. While preaching against bolshevism and declaring it to be the greatest menace to civilization yet conceived, the same Members of Congress support the enactment of laws that would carry out the propositions and plans of the Bolshevik government.

In section 2 the word "force" is used. What kind of force? Moral force? If during a strike one workman should say to another: "Why do you seek to prevent us employees from gaining sufficient wages to live as Americans should live?" he could be fined \$15,000 or imprisoned for 15 years, or both. If he should tell another workman that he was wrong to accept employment under the conditions, the same penalties could be inflicted.

Attempt was made to secure similar legislation through sedition bills, known as S. 3317 and H. R. 438. President Gompers, who appeared before the Rules Committee against these bills, said:

"You prohibit moral force for the attainment of economic changes. Every effort made by the workers for the improvement of their material and moral and social condition is one of moral force. The language employed is such that it is capable of construction in any fashion that the courts may interpret.

"Unless we encourage the effort of the workers for improvement in the manner and method approved by the conscience of the American people they will find that expression or manifestation in another form.

"Strikes, as cessations of labor have been called, are nothing more or less than an aspiration of the working people for a better life, and in passing, it may not be amiss to say that you will find strikes or cessations of labor collectively among workers only in the highest civilized countries.

"You will find no strikes in China. They are growing in number in Japan. You will find none in India. In the most backward countries you will find fewer cessations of labor for the purpose of the individuals obtaining a higher standard and a better standard of life. In those countries where there are fewer strikes, almost no strikes at all, they are the most backward countries on the face of the globe. And I say this not to sound the praises of strikes, for our movement has done more than any other factor or group in the whole country to prevent and avoid strikes.

"And in addition it is my judgment after lifelong study and experience that his species of legislation is not going to prevent the things which it seeks to prevent. It will not prevent the doing of the things sought to be prevented. On the contrary it will provoke them."

The same argument applies to this bill as to sedition, discussed by President Gompers.

We never hear of India or China going to war of their own free will. The laws which surround the wageworkers in those countries are such that initiative is taken away from them, the same as this bill intends to do with the American workman. They are nations of pacifists. All Japan has to do is to crook its finger and China appeals to the world for protection.

But the liberty-loving people of America who have lived their lives without any repressive legislation to dull their senses were as one man in the Great War and won it.

Such legislation was not needed during the war. If there had been such a law enacted as this now proposed the liberty-loving American citizens would have become sullen, morose, and rebellious.

It has been said, and never successfully denied, that this Congress is the most reactionary in history. Nothing would prove that charge more effectually than the passage of this bill.

You take freedom of assembly and free speech from this country and you will create secret societies that will become as great a menace as those which have disturbed the Governments of Europe. There are men in Congress who seek to establish involuntary servitude in this country, although it is prohibited by the Constitution.

Gentlemen of this committee this is a question that should receive your most serious consideration. You must not think of the benefits that you are to grant to the employers of labor, but you must think of the dangers to a democracy that such a law will bring.

No law was ever passed in any country that prevented strikes. Only slaves can be forced to work, and this bill seeks to make slaves of free workers.

In the name of the American Federation of Labor and its nearly 4,500,000 members I enter a most profound and emphatic protest against such pernicious legislation.

You should think well and long before voting to report this bill favorable. You can not understand the temper of the people of this country if you vote for such a bill. It takes away the liberties of the people, and you can not afford to do that if you expect to maintain a democracy.

There is no more detestable phrase to the workers of our land than "dictatorship of the proletariat," and there should be just as much opprobrium on those who would declare for the "dictatorship of the capitalists."

We leave this in your hands with the belief that there is still enough patriotism in the Members of Congress to defeat such un-American legislation.

STATEMENT OF P. J. McNAMARA, VICE PRESIDENT OF THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINE-MEN.

Mr. McNAMARA. Mr. Chairman, first I will say that I have made no preparation whatsoever for presenting this matter as I did not know anything at all about the hearing until I saw it in the paper this morning, and I do not know that I have anything to add to what has been previously stated, that is, at previous hearings which have been held in connection with legislation about railroading to strikes.

While speaking for the Brotherhood of Locomotive Firemen and Enginemen, I presume on account of the limited time that I have had since I have read the papers, I assume to speak for the representatives of the other three Brotherhoods, one of whom is here, Mr. McMenimen, of the Trainmen, to say that we are unalterably opposed to what we consider such drastic legislation as is contained in the bill that carries your name, S. 4087. We feel that the legislation that has already been enacted is drastic enough, and most too drastic, and we feel that a great deal of the unrest that is now created, or now in evidence, is on account of some legislation that has been passed, not all of it, for the high cost of living had created great unrest.

But when you come to making serfs and slaves of men, and say that they can not congregate together and discuss things in their own interests—they are a part of the public to a great extent—then it is, in my opinion, going too far. Strikes do occur once and awhile but not to any great extent. It is the one weapon that the men have, and to take that away from them would be a great injustice to them. Therefore, with all that has been said in times past—unless there is another meeting to be held, or another hearing to be held in connection with this bill, at which time either myself or one of my colleagues will appear and have something prepared in connection with it, to show the injustice of this bill—the only thing that we intend to do this morning is to enter a protest against any action being taken on the bill.

As I have said, Mr. McMenimen, representing the trainmen, may have something to say in connection with it. So unless you have some questions to ask me, Senator, that is all I care to say at present.

The CHAIRMAN. I want to avoid making the hearing a debate. I do not want to enter into that. Of course, there is a lot to be said, and for the purpose of drawing out your views, or the views of any others who may be interested enough to appear here, I refer to the statements that you and Mr. Sterling have made in connection with

this legislation, that it establishes a system of compulsory labor or involuntary—

Mr. McNAMARA. Servitude.

The CHAIRMAN. Involuntary servitude. Now, that is not my understanding of the legislation. In the first place, I do not believe if Congress did enact a law of that kind, establishing involuntary servitude, that it would have any effect, because that is prohibited by the Constitution of the United States. In the second place, there is nothing in any of these bills—and I confess I have not examined thoroughly Senator Edge's bill—but I do not think there is anything to that effect in that one, and I know there is nothing in the one that I introduced especially, that is not now cared for by the amendment that the full committee directed incorporated in the antistrike clause of the Cummins railroad bill, because that contains an express clause that nothing in the proposed legislation should interfere with the right of a man to quit work. That means singly or collectively. So the bill is not aimed at that.

A man has a perfect right to quit work, and I do not quite understand the attitude that has been taken in regard to the bill on that ground because I do not think it has that effect. What the bill is aimed at is an entirely different thing, not quitting work, because you can not stop a man from quitting work; no just man would want to. But the question comes down to this: We will confine the discussion to interstate and foreign commerce for the time being because that is really the only thing proposed to be dealt with under this legislation by Congress. States might deal, in their several jurisdictions, with basic, essential industries—such industries as might be decided—not simply, as Mr. Sterling has said, necessary for the convenience of the community, but far more than that, something that involves the life of the community. This legislation is aimed to protect interstate commerce, and the question is, knowing the vital character of interstate commerce, knowing that people's lives depend on keeping interstate commerce in operation, whether or not any private organization, I do not care whether it is of the officials of the railroad who use their power to shut it down or whether the employees use their power to shut it down—whether you are going to allow such an autocratic and absolutely dominating power to be vested in a private organization, to say that it will cut off interstate transportation until you do so and so. That is the only question involved. It forbids organizing and soliciting and coercing people to quit work and agreements with others to quit work with the purpose of obstructing transportation—not that they should be prohibited from quitting work themselves.

I only mention that to direct your statement to that phase of the matter.

Mr. McNAMARA. Mr. Chairman, you have just passed a bill, and the representatives of the 2,000,000 men in the railroad service, directly in the railroad service, have agreed to give that law a fair trial. They are doing that. Now, where is the necessity, or why should there be a necessity at this time, after that bill has just become a law, of not giving it, and all other parties not giving it, a fair trial? Those boys are meeting at the present time. Everything is being done, even with the great unrest that there is, to keep the transportation of this country up. It is being done by those who are employed

in the engine, train, and shop service. They are doing everything they possibly can. Now, why stir up another turmoil and get the men to greater unrest than they have been for some time past?

The 16 organizations of these men employed in the railroad service are doing everything they possibly can to keep things moving. They are lending their aid in every manner. Now, why should something be done to stir them up—and I am of the opinion it is going to; the men can not believe otherwise, nor would I have them believe otherwise, than that this legislation will create involuntary servitude. You say the men can quit; that is constitutional. It would be unconstitutional to compel a man to labor against his will, or any body of men to labor against their will.

With the legislation that is now on the statute books, and the latest legislation having been agreed to, that they will agree to work that out, and I believe it will be worked out, at least I hope so—I think that this is a very inopportune time to start in. What I think it will do will be to create an unrest among the men, who will think that some people are trying to make serfs of those who are handling the transportation of this country. It seems to be aimed at those men alone. While there are some parts of the bill that take in the manufacturers, and such as that where those commodities come from, still it is aimed, in my opinion, at the railroad men.

In the hearing, and in private conversation with yourself, I am of the opinion that you have agreed with me that these men are a good, loyal lot of men, and that those who are representing them have done everything they could possibly do for the 45 years in which they have been in existence, to transact business legitimately and lawfully, and they have been doing it even with this last unrest that came up, not amongst the members of these organizations in particular, but on account, in my opinion, of a clause that was put in that bill, that everybody, every radical in the country, can start out and try to dig up another man to be heard before a board. That is proving very detrimental, and has caused a great deal of unrest.

We have overcome that, and things are going along while it takes a whole lot of work. But still, with the laws that we have in our organization, which are pretty strict, we have been able to overcome that, and at the present time I believe you have to agree with me that things are running pretty smoothly.

The CHAIRMAN. I do not understand that they are. My understanding is that they are very far from running smoothly. I noticed the other day on the front page of one of the New York papers an interview with a gentleman. I think his name was Edward McHugh, chairman, I believe he was designated, of a committee of so-called outlaw strikers.

Mr. McNAMARA. Yes, sir; I have seen that.

The CHAIRMAN. He was boasting and congratulating himself, as he said—I think he exaggerated conditions—that the railroads are only carrying 10 per cent of the normal amount of freight. When a man can come out in the public press and boast about a condition like that, I can not think that things are moving along smoothly.

Mr. McNAMARA. Well, Mr. Chairman, if you are going to take Mr. McHugh's statement in preference to mine—

The CHAIRMAN. I do not mean to do that at all.

Mr. McNAMARA. I have been down around that section of the country for three weeks—

The CHAIRMAN. I am just calling your attention to it.

Mr. McNAMARA. I know what Mr. McHugh has tried to do in that section of the country. I know what a time I and some of my colleagues had down there to overcome what Mr. McHugh had tried to do. But when Mr. McHugh makes a statement at this present time that there is only 10 per cent of the freight running—and passenger service was not interrupted at all—when he makes the statement that there is only 10 per cent of freight running, he is exaggerating conditions.

The CHAIRMAN. I think he is too.

Mr. McNAMARA. Mr. McHugh has done everything he possibly could to demoralize, not alone legitimate labor organizations and the railroad service, but to demoralize the traffic of this country, and he was unable to do it. The first few days he accomplished something, but after the men were interviewed by the executives of these organizations, and told that they were wrong, they immediately went back to work. Some of those were out, but there were not as many out as the press stated there were.

Now, we are doing everything we possibly can in the interest of the public, of the railroad corporations, and legitimate labor organizations, to assist the railroad service. We feel, at least I feel, and those for whom I am speaking, that with such contemplated legislation as this, it may create another unrest. We will try to overcome any unrest but I hope that you and the other Senators and Congress in general, in its entirety, will assist us in doing that, and we will be able to overcome those things.

The CHAIRMAN. I wish they were all as reasonable and as much disposed as you are to settle these matters by legal proceedings instead of by force.

Mr. McNAMARA. Senator, you will find that every officer of these organizations is just as anxious to comply with those laws that are now on the statute book, as I am, and also that the great majority of men that we are representing are just as anxious to do the same thing. You can not expect, out of a body of men of over 2,000,000, that there will not be somebody who wants to kick over the traces; but we will be able, and are able, and have been able, to overcome those. This is not the first time that it has been tried, and I presume it is not the last, but just so long as we have the good, loyal Americans in these brotherhoods, we will be able to overcome the radical element that there is in this country to-day, and we can not deny it.

If we get increases in pay and the cost of living down so that our men will be able to live as they should live, this unrest is going to stop, and things will go along, and I sincerely trust that we are not going to stir up something again because that is one of the things that some of those men who have created this last unrest will do, go out and preach to those who are on the fence that the United States has compelled them to work whether they like it or not. When you take the right to strike away from a man and he is convinced that that right is taken away from him, I fear for the worst.

The CHAIRMAN. There has been established by Congress a labor board in which the organizations are represented, and if that law is not properly framed it can be changed by additional legislation.

There is a tribunal provided by the law for the purpose of rendering a just and fair decision in any controversy with respect to wages, or other conditions affecting the employees. Now, is that not the way that Americans generally settle disputes, by submitting them to some public tribunal, and is not that sufficient?

Mr. McNAMARA. To some public tribunal?

The CHAIRMAN. Yes.

Mr. McNAMARA. Well, Mr. Chairman, we consider that we are a part of the public; and also those who are on the opposite side of the table, the officials of these railroads, and for several years past now, for a period of over a year prior to the Government's control of railroads and during the time of Government control of railroads, we settled all disputes across the table by having a commission, first a commission of eight—four from the employers and four from the employees. They settled all cases of disputes that came up.

During the time of the Railroad Administration, and even now, they are continuing to clear up what disputes came up during the time the railroads were under Federal control. That board was functioning. Whenever a dispute came up, when they made their statement and sent out their ruling, if it was against the employees, they were agreeable to it. Why? Because they had confidence in the men who were on that commission. Their representatives were on it, and they had confidence in those men, and they agreed to accept the rulings that were made by that board. Those men feel that when their representatives are on those boards that injustice is not going to be done them. Even if they may not agree, they are going to comply with the rulings. But when you put something in a law, and make it a law, and say to a man, "I am going to compel you to do it," he looks at it in a different manner and in a different light. They are human. Railroad men are just as human as any other class of men.

The CHAIRMAN. There is nothing in this legislation that is in conflict with the Labor Board. It is rather a supplement to it. The Labor Board renders its decision and this would tend toward giving effect to that decision, or giving some sanction to it.

Mr. McNAMARA. I can not see that. The only thing in that, Mr. Chairman, is that a man who does so and so, or a body of men, in my opinion—while not having had time to read this over carefully, but in the first reading there, in my opinion, you even prohibit or that bill prohibits us from even advising with the men. I want to tell you that you have to have leaders in war just as well as in politics. In labor you have to have leaders, and you want conservative leaders to advise with these men.

The CHAIRMAN. You would not claim that it was proper to advise men to go out and destroy a man's house?

Mr. McNAMARA. No, sir.

The CHAIRMAN. Why should you advise them to go out and destroy transportation?

Mr. McNAMARA. We do not advise them to go out and destroy transportation.

The CHAIRMAN. No; you do not, but some of these men are doing it now.

Mr. McNAMARA. Well, have we not overcome it? Leave us as we are, at least do not go any further and take any more power away from us by law, and you will find we will do as we have done in the past, overcome these things. If you can rid this country of a certain element, then there will be no necessity at all for this legislation. Everything would be peaceable. If you can put in jail, some of those who are bringing this on—as these profiteers are—you will not find a continuation of the unrest that there is in the country today. But do not aim at the railroad men in particular all the time just because they are unfortunate enough to be handling interstate traffic.

Mr. Chairman, if you have no further questions to ask me, that is all I care to say.

The CHAIRMAN. I think not. I am very much obliged to you.

**STATEMENT OF W. L. McMENIMEN, DEPUTY PRESIDENT,
BROTHERHOOD OF RAILROAD TRAINMEN, WASHINGTON,
D. C.**

Mr. McMENIMEN. Mr. Chairman, I simply desire to state that I have heard everything that Mr. McNamara has said, and on behalf of the Brotherhood of Railroad Trainmen I wish to say that I hope this proposed legislation will not be enacted at this time.

I think you and I, Mr. Chairman, have discussed the matter a number of times, and you know how I feel upon the subject.

The CHAIRMAN. Yes. The committee is much obliged to you. Is there anyone else present this morning who desires to be heard? (There was no response.)

I have a statement that is published by the representatives of the Farmers' Grange and other farm boards and farm organizations, which I will have inserted in the record.

(The paper referred to is here printed in full, as follows:)

FARMERS' VIEWS ON NATIONAL STRIKE QUESTIONS.

So much has been said in justification of the organized strike that we deem it advisable to outline the position of the farmers of the country upon this all-important question at this time. We desire to discuss the question more particularly as applied to the railroads for the reason that the farmers are more directly affected by railroad strikes than strikes in other lines of industry or commerce.

The statement has been made so often and kept to the front so continuously that organized workers have an inherent right to strike when and wherever they please that the public generally has accepted the statement as being true, and as a result, strikes have in times past received to some extent the support of public opinion. Recent events and happenings, however, indicate that the country generally is giving this question serious consideration, and as a result there is a growing demand that some other method be employed to bring about the settlement of controversies between employer and employee. This demand is more pronounced on the part of the farmers of the United States than of many other classes, for the reason that they are affected more directly than most other classes. The farmers develop a section of country adapted to the production of perishable products. They spend vast sums of money in building houses and barns, digging drainage or irrigation ditches, and in bringing the land up to a high state of productivity. Such land could not have been developed if the transportation facilities had not been such as to insure that the farmers could get their products to the markets of the country with the least possible delay and before they become unfit for consumption. What applies to the production of perishable products applies in varying degrees to the production of all other products, and in no case could the farmers undertake to produce extensively or beyond their own needs if there were no facilities for transporting their products to the consuming centers.

On the other hand, no great city could be built up if it were not for the fact that those who live in them may depend first on the farmers of the country to produce an ample supply of food for all, and second, on the railroads or other transportation facilities to function properly at all times and deliver farm products to city consumers with regularity and as needed.

If the above is true, and no sane man will say otherwise, then it naturally follows that those who believe that labor has an inherent right to organize a strike believe that such organizations have a right to starve the people of the cities to death, on the one hand and to destroy the property of the farmers on the other. No such right has ever existed and no such right exists now. It is economically unsound and the American people can and will work out some other method for the settlement of such controversies. No set of men has ever had the moral or legal right to destroy property or cause suffering by conspiring together, and the welfare of all the people must ever remain superior to that of any class or group of people.

A farmer produces a crop after months of toil and heavy expense, only to find, when it is ready to move to the market, that he is confronted with a strike, and he sees the result of his work utterly destroyed while he stands helplessly by and witnesses the destruction. He acted in good faith in the production of his crop and he had every reason to believe that he would have no trouble in getting his products to the consuming centers and receive a reward commensurate with the labor and expense required to produce it, but the inherent right (?) to strike has robbed him of it all, and where is his remedy? He has none.

What would be the verdict of the people if the farmers of the United States should suddenly decide to go on a strike and refuse to supply the wants and needs of those who are not in a position to produce food and clothing for themselves? They would be condemned from one end of the country to the other, and the fact would be pointed out that they, as the owners and tillers of the land, had no right, either moral or legal, to bring about such a calamity. If the farmers who own and occupy the land have no such moral or legal right, then why should it be conceded by anyone that those who handle the farmers' products have a right to block the transportation or industrial facilities of the country and thus jeopardize the food and clothing supply of the Nation? If the farmers have no such rights, those who handle his products have no such rights.

The farmers must look to Congress to solve this great question in the light of fairness for all and not for the benefit of the few, at the expense and perhaps misery and suffering for all.

T. C. ATKESON,
Washington Representative, the National Grange.

GRAY SILVER,
Washington Representative, American Farm Bureau Federation.

E. A. CALVIN,
Washington Representative, Cotton States Board.

JOHN A. SIMPSON,
President Association State Farmers' Union Presidents.

WASHINGTON, D. C., February 11, 1920.

The CHAIRMAN. If there is no one else who desires to be heard now, the committee will adjourn until to-morrow morning at 10.30 o'clock in order to give an opportunity to anyone else who may desire to be heard.

(Accordingly, at 11.45 a. m., the committee adjourned until to-morrow, Friday, May 21, 1920, at 10.30 a. m.)



PROPOSED ANTISTRIKE LEGISLATION.

FRIDAY, MAY 21, 1920.

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE COMMERCE,
Washington, D. C.

The subcommittee met at 10.30 o'clock a. m. in the committee room, Capitol, pursuant to adjournment, Senator Miles Poindexter presiding.

The CHAIRMAN. I have a letter from Mr. Frank S. Gardner, secretary of the New York Board of Trade and Transportation, dated New York, April 15, 1920, which will be inserted in the record.

(The letter referred to is here printed in full, as follows:)

NEW YORK BOARD OF TRADE AND TRANSPORTATION,
New York, April 15, 1920.

Senator MILES POINDEXTER,
United States Senate, Washington, D. C.

DEAR SENATOR: I have before me a copy of your bill S. 4204. I saw it mentioned in the New York Evening Sun recently.

For two or three months we have been receiving complaints from merchants that they are being charged exorbitantly for loading freight from the piers onto their trucks received at both the railroad and steamship piers. It appears that there is a loaders' union whose members wait at the piers and when trucks call for freight these loaders go onto the piers and offer their services. If the truckman has his own loaders or attempts to load the truck himself these union loaders threaten to throw them overboard and one carman reported recently that one of the loaders placed a pistol at his abdomen and threatened to kill him if he insisted upon doing his own loading. With these threats and actual violence in some instances these gangs now dominate practically every steamship and railroad pier in this city and charge any rate that their fancy may dictate from 3 cents a bale or barrel up to 50 cents for simply lifting it from the pier floor onto the truck.

Our board had a conference with representatives of about 30 of the steamship lines last Thursday and they told us that they are powerless; that these loaders are not employed by the steamship lines and that if they attempt to exclude them from their piers, the checkers walk out and quit work. The checkers are the men employed to see that the carman get the freight consigned to the firms the car men represent. None of the union checkers will work if any truck is being loaded by any men other than these gangs that I have mentioned and these gangs offer and use violence to prevent merchants using their own loaders. If the lines employ other than union checkers, all the longshoremen will walk out, and after them all the others and the whole port would be paralyzed. Of course, the police could protect these independent loaders, but that would mean a general strike of all port workers and the lines and the merchants have been compelled thus far to submit to conditions which are intolerable and that would be disgraceful in any community or country.

The bill you have introduced would apply to these conditions here and would probably have a wholesome restraining influence if it did not wholly remedy the conditions complained of.

The conference of Thursday last, appointed a committee of nine representatives of the steamship lines to further consider with our traffic committee the situation and the possible means of remedying it. That was before your bill was introduced. The country can not afford to have this port tied up indefinitely as it would be if police

protection should be given to the merchants and their loaders as against these gangs of so-called union loaders. Our whole port business is practically under Bolshevik rule at this time. The longshoremen's strike of a few weeks ago was an I. W. W. movement, as it developed from the circulars they then issued, and was opposed to the previously acknowledged union leaders who had made an agreement with the Shipping Board and other shipowners which the men repudiated.

I hope that your bill will be passed. Can you send me 10 copies of your bill (S. 4204)?
Very truly, yours.

FRANK S. GARDNER, *Secretary.*

The CHAIRMAN. I have also a statement from a conference of steamship representatives with the traffic bureau committee of board of trade and transportation, which will be printed in the record for the benefit of anyone who is to be heard on this matter.

(The matter referred to is here printed in full, as follows:)

CONFERENCE OF STEAMSHIP REPRESENTATIVES WITH TRAFFIC BUREAU COMMITTEE OF BOARD OF TRADE AND TRANSPORTATION TO REMEDY DIFFICULTIES AT STEAMSHIP PIERS.

To the New York Board of Trade and Transportation:

Your traffic bureau committee has received many complaints from members of the board in recent months regarding their experiences in connection with the shipment and receipt of freight at nearly all of the steamship lines, both foreign and coastwise. Inquiry into these complaints convinced your committee that the conditions complained of are general, and demand relief; that the best method of securing remedies would be to get the point of view of the steamship lines at a meeting of representatives of each line in conference with your committee where the several questions could be frankly discussed. To that end an invitation was issued to participate in such a conference, and 31 steamship lines responded favorably to your committee. The conference was held in these rooms on Thursday last, April 8.

Your committee regret that for lack of room it was not practicable to invite the members of the board to the conference. The attendance, as it happened, filled the room, and your committee, with a few members whose experience qualified them as conferees, represented the board.

The chief complaints submitted by your committee were:

1. The delay of trucks at piers.
2. The failure of steamship lines to give receipts for freight to carmen shipping it.
3. The excessive charges and lack of regulation of charges for loading incoming freight onto trucks.
4. The obstacles to merchants using their own men for loading trucks on piers due to the hostility of the loaders who dominate the piers.
5. The regulation of the issue of permits to prevent excessive issues and consequent congestion of more business than can be handled.

The chairman of your committee presided and invited the steamship men to express their views as to the several complaints as they were announced in order. The discussion was free and frank, the steamship men countering to the charges and occasionally putting the merchants or their car men on the defensive.

The suggestion that permitting be limited to one day and only enough permits issued for the day, and that shippers failing to ship within the specified day be barred out, met with favorable comment from both sides, but no conclusion was reached. It developed that other causes besides over permitting contributed to the detention of trucks in line and delay in shipment.

The failure to give receipts it was stated was due to the necessity of checking up the goods shipped which on busy days often took until midnight and the car men would not wait for the receipts. It was suggested that delay from such cause should be obviated by employing a larger force to do this work.

The steamship men confessed themselves powerless to control the "union loaders" or their charges for loading onto trucks from piers. Any coercion on the part of the lines, it was said, would be met by the "walk-out" of the checkers, who refuse to check off the freight when outside loaders are employed. This is not a general strike but the walk-out of individual checkers whenever non-union loaders are employed. It was said that if the lines should attempt to force this issue it would result in a general strike of all the harbor workers and a complete tie-up of the business of the port.

Instances were cited where extreme violence was resorted to by the union loaders to intimidate outside loaders, threats to "throw" them overboard, and one instance was cited where a union loader held a revolver to the abdomen of an outside loader with threat to kill him if he did not quit work.

To all questions—why do you allow these men to come onto your piers? Why do you not give the truckmen and their helpers protection? How is it that outside men control the loading on your piers? Why can not the union loaders be restrained? And many like questions, the steamship men answered, that they would be glad to adopt the measures suggested, but all of their men would walk out.

These loaders are not employed by the steamship lines and the lines have no arrangements with them, it was stated. They are in waiting for jobs and offer their services. Various suggestions were discussed but without any solution being reached, because all of them ran counter to the policy of the union workmen to control in every respect the handling of the freight.

The conference developed many other facts of interest, although they emphasized the very great difficulties that the situation presents, and the necessity for extreme caution at every step. It was forced upon the minds of all who participated in the conference that the conditions are intolerable, with gangs of lawless and dangerous men absolutely controlling the business of the port at nearly every pier and threatening violence to all who oppose them, while if police protection for independent loaders should be provided the business of the whole port would be stopped by a general strike.

The conference before adjourning appointed a committee of nine representatives of the steamship lines to further consider the situation with the board of trade committee and work out as far as possible the remedies needed.

The steamship committee appointed is as follows:

F. E. Le Bourvean, Cunard Steamship Co.; E. N. Patton, Southern Pacific Co.; J. F. Van Riper, United Fruit Co. Steamship Service; C. D. Rice, Barber Steamship Lines; Mr. Bishop, Lamport & Holt (Ltd.); E. Roggeveen, Holland-American Line; Thomas A. Wolfe, French Line; Robert S. Guilford, International Mercantile Marine Co.; C. B. Kellogg, Munson Line.

Respectfully submitted.

Ernest J. Tarof, chairman; John A. C. Jansen; Louis W. Williams; William Archibald; E. W. Margetts; Hugh Miller; Charles Nelson Dodge, E. H. Shelley, of committee.

The CHAIRMAN. Is there anyone present who desires to be heard by the committee?

STATEMENT OF GRAY SILVER, WASHINGTON REPRESENTATIVE OF THE AMERICAN FARM BUREAU FEDERATION.

Mr. SILVER. Mr. Chairman, I speak here before the committee for the American Farm Bureau Federation, which at the March meeting had 1,061,000 membership of farmers, and to state emphatically that the farmers are opposed to strikes as a means of settling difficulties. The farmer thinks there should be some other method of adjusting those differences of opinion. They are not desirous of entering into the controversy between capital and labor as such except in the way that it affects the farmer and the public generally, of which the farmer is a large part.

The farmers market is at the other end of distribution. It is futile for him to produce if his production can not be delivered to the market. At any time that the great railroads—the great lines of distribution—fail to function, the whole product of the farmer is jeopardized or lost. As the farmer works on the piece and takes his pay in trade, he does not get the money until his crop has been delivered to the market. Consequently he is vitally interested in the continued operation of the railways without interruption, which is the only way that he sees to bring the result of his labor into money. In doing that the farmers are not unmindful at all of the fact that differences of opinion have arisen and will continue to arise, but they insist that there should be some other method than the strike, as it is ordinarily understood—a conspiracy to stop the operation of the railway systems, as has occurred in the past.

The farmer has a responsibility in the running of the lines to supply food for the Nation. He works in the sunshine and in the rain, and the Labor Board record shows that the illiterates and defectives are some half a dozen times as great in the country as in the towns, which shows that the returns to the farmer have not given him sufficient money to properly educate his children and give them the proper medical attention. In spite of all these handicaps, he does not strike and does not approve of strikes. The striking of the farmer would possibly be more severe than those who operate our great lines of transportation, for while food may be delayed in transit, if the farmer should strike there would be no food to deliver, and the situation would be very much more serious. However, as the farmer is not prepared to store—he does not want to enter into storage and distribution other than with regard to properly get it to market—he asks that something be done to assure him the continuous operation of these lines of distribution.

I think Mr. Chairman, that is all I care to say unless there are some questions.

The CHAIRMAN. We are very much obliged to you.

STATEMENT OF MR. CHARLES A. LYMAN, SECRETARY OF THE NATIONAL BOARD OF FARM ORGANIZATIONS.

Mr. LYMAN. Mr. Chairman, our board is composed of 15 farmers' organizations, most of them national or interstate in their scope. I suppose every State in the Union is represented to a more or less degree in the membership. Of course, one naturally finds many viewpoints in an organization of this size and character.

One of our principles, to which we have adhered, is not to take a public stand on matters where there is serious disagreement. The theory is that there are so many questions on which farmers and farm organizations can agree, that we will do well to concentrate our attention upon matters where agreement is obvious. For that reason we refrained from taking a stand as a board on two questions of great importance to this country. One was the railroad question as to whether we should give the railroads a chance to demonstrate what they could do with a year or two longer of Government operation, and under more normal conditions; or whether we should urge their return to private ownership. The board, as such, took no stand in the matter, and has taken no stand up to this time on the labor question.

I indorse, Mr. Chairman, what the representative of the American Farm Bureau said with reference to the farmers' feelings, that there ought not to be strikes. I am thoroughly in accord with that idea. Some other way ought to be worked out. The farmers are dependent upon transportation just as the city people are dependent upon transportation for their food. I am wondering, though, whether it would not be better to go cautiously in this matter. Two of the large farm organizations have recently joined in a statement which they sent out with reference to the right to strike, in which they denied the inherent right of anyone, or any group, to strike. Our board was not invited to join in that position and it had no opportunity to throw whatever collective judgment it might have had in regard to the question into the memorial.

I bring this matter up for the reason that this statement has again made its appearance at our office. Three copies have come to me in three separate mails in the last three days. I understand that it will be introduced in the printed hearings of yesterday.

A short time before that statement was prepared another statement was prepared, in which the signers were more or less identical, entitled "Where the Farmer Stands," signed by the International Farm Congress, the National Grange, the American Farm Bureau Federation, the National Farmers' Union, the National Milk Producers' Federation, the Farmers' National Congress, and the American Cotton Association. So you will see that the National Grange and the American Farm Bureau Federation joined in both statements to which I refer.

In the statement, "Where the Farmer Stands," which was drawn up January 28 of this year, we find the following paragraph entitled, "The Right to Strike:"

The right to cease work, individually or collectively, for adequate reasons, is unsatisfactory, but the practice of indiscriminate striking for trivial causes or regardless of the distress or damage caused is indefensible. No right exists to compel men to strike or to prevent others from working. Neither does the right to strike or cease work in unison extend to those in Federal, State, or municipal service.

I feel that this statement more closely reflects the attitude of members of our board than the statement which was subsequently sent out, to which I have just referred.

Now the whole question is a difficult one. It is tremendous. I feel that under certain circumstances, as society is constituted to-day, the strike is the only real weapon which laboring people have, and until we get down to bedrock on a good many questions that overlap the strike or antistrike question, it seems to me that we are treading on rather dangerous ground in denying the labor people the right under certain circumstances to use the only weapon which they possess. You can say that public opinion will always settle a thing right, and I think it does in the long run, but the situation is that there is such tremendous concentration of wealth in the hands of a comparatively few men, and they have so much money and credit at their disposal with which to gain a commanding position in publicity and in advertising, that it sometimes happens, I think that the public does not have a full opportunity to get all the facts on public questions until after the public has formed its opinion, and this opinion is being made to quite a large extent at this time by the publicity which many corporations are carrying on. There is no question about that. For instance anyone who has followed the packer situation knows that millions of dollars have been spent by the packers to influence public thought, and that certain farmers and even a few representatives have been induced to come to Washington to testify in support of the packers.

Now, following the break-up of the President's first industrial conference last fall, we noticed that both organized labor and organized capital began to make a drive to influence public opinion. Labor did it openly by inviting the representatives of the farm organizations to come to a conference, which was called for December 13 by Mr. Gompers. Their methods were open, and I sometimes think they were encouraged to do that by reason of the position which the farmer representatives in the industrial conference took with respect to the

right of collective bargaining. I have not seen many references in the agricultural papers or in the literature sent out by farm organizations, to the fact that at the industrial conference the three representatives who were there to represent the farm organizations did stand on the side of organized labor with respect to the right of collective bargaining, and the right to select representatives of their own choosing. Those three representatives were Mr. C. S. Barrett, president of the National Farmers' Union, now chairman of our board; Mr. T. C. Atkeson, Washington representative of the National Grange; and Mr. J. N. Tittemore, president at that time of the National Union of the American Society of Equity, and now president of the Wisconsin Union of the American Society of Equity, and a member of our board. In standing by labor's position as far as it was expressed in the resolution, the rejection of which by the employer's group led to the breaking up of the industrial conference, these three farmer representatives went no further in their support of organized labor than did John D. Rockefeller, jr., and many others who represented the public group.

I repeat that at this conference the farmers' representatives voted for the labor resolution, so it was not to be unexpected that the American Federation of Labor might feel that the representatives of the farm organizations could contribute something of value in attending a conference called by labor at Washington following the industrial conference fiasco. Our board was asked to send out a call to join in a conference with labor representatives. We declined to do so, but left the matter open to member organizations to take such position as they saw fit. As a matter of fact, I believe none of our member organizations were represented there, although one member organization wired me to represent it at the conference, but the wire came too late for me to follow out the suggestion.

Now, on the other hand, what do we find with respect to the corporations? I am bringing this up, Mr. Chairman, for the reason that I feel that if at this time, before we settle some questions that are bothering all of us, we should adopt the antistrike legislation, it would be an entering wedge for a perfect epidemic of antisocial legislation in this country. I do not say that the time may not come, after a full and comprehensive hearing, when something of this nature may not be necessary. But the fact is that right now the National Manufacturers' Association, and kindred groups and individuals who came out of the war financially benefited to a great degree, are the ones which are getting behind legislation of this sort, and I feel are trying to use the farmers' natural feeling of abhorrence for the strike as a means of driving in their wedge.

So far as I know, there are no representatives here of railroad management appearing for the bill at this time, and no representatives from the Government whose duty it would be to demand legislation, even of a drastic character, if conditions were, in their judgment, such as to demand drastic legislation. I can not refrain from issuing a note of warning to show what I mean by the fear I have that antisocial legislation is coming to us.

Mr. Milo D. Campbell, of Coldwater, Mich., former chairman of our board, last fall wrote a letter to Mr. Gompers, in which he stated his personal reasons for not believing it wise for the farm organizations to accept Mr. Gompers's invitation. That reply was quoted

widely, and it may have had a great deal of influence. As a result of that, perhaps, and a mistaken understanding, I think, of Mr. Campbell's attitude on the labor question as a whole, he was invited to speak at meetings of merchants and manufacturers' associations and organizations of similar character, and was quoted very widely by such organizations. On the 19th of this month he was invited to speak before a meeting of the National Manufacturers' Association at New York. He sent me a copy of his address, and a letter with it, in which he says:

The air was charged with the most autocratic and vitriolic talk I have ever heard. More than 50 gathered about me at the close of the session and shot at me about all the poisoned arrows in their belt. One member said I would get served as they were serving "the Philadelphia gang"; that they had spent \$150,000 recently to clean up the congressional crowd from that city. Another one over in the crowd said, "We will take care of his nomination for governor."

The CHAIRMAN. From whom are you quoting?

Mr. LYMAN. Mr. Campbell's letter sent me this week.

The CHAIRMAN. I do not quite understand it. Whom was he talking about nominating for governor?

Mr. LYMAN. Mr. Campbell has received the support and backing of farmer organizations in Michigan—

The CHAIRMAN. Oh, yes.

Mr. LYMAN. And is making a fight for the nomination there. Associations of that sort, Mr. Chairman, have been fighting our demands for the right to collectively market our farm products. The Philadelphia Board of Trade sent a memorial to the members of Congress charging that it was class legislation, which we deny absolutely.

Now, I am trying to feel my way along, Mr. Chairman. I am simply here in the interest of fair play.

The CHAIRMAN. We want to hear everything you care to say. The committee desires to get the widest possible view upon any ideas that you may have.

Mr. LYMAN. I would like the opportunity, Mr. Chairman, to incorporate Mr. Campbell's address as part of this hearing.

The CHAIRMAN. That will be incorporated in the record.

(The document referred to is to be printed in the hearings. Copies of Mr. Campbell's address have already been sent to the entire mailing list of the National Board of Farm Organizations.)

Mr. LYMAN. Mr. Chairman, this is the way I look at the proposition now before us: The brotherhoods—labor generally—came out of the war feeling that they had done pretty well. Mr. Gompers, as you know, was the recipient of praise on every hand—capitalists, bankers, manufacturers praised Mr. Gompers—and nearly everyone, I think, felt that it was most fortunate that we had that type of man, and that particular man, at the head of organized labor during the war period. So that now there is a feeling on the part of the laboring people that they are being discriminated against—that there is a propaganda against them—and I know there is, just as there is against the farmers. Whether they are right or wrong, there is this tremendous propaganda that is being carried on to put them in an adverse position. Now, they are human beings, and there are a lot of them. We have got to have labor people—people who work with their hands in farming and on the railroads and in all industries—and I

do not believe that we are on the right track with legislation of this sort at this time until we have taken up some of the things which are the causes of great social unrest.

Senator Walsh of Massachusetts made, I think, a splendid contribution to the thought of the times the other day. He pointed out that this feeling of unrest was not simply in the hearts and minds of the men who wear overalls, but that it was found in the pulpit, in the press, in the country newspapers, among school teachers, and others. He referred to the profiteering which has been going on and the swollen fortunes, the excess profits, and he introduced the following resolution, which I think is aiming in the right direction. The resolution is as follows: "*Resolved*, That the President of the Senate is hereby authorized and directed to appoint a select committee of five Senators, three from the majority and two from the minority, to investigate and report to the Senate the relation between high prices for necessities and the concentration of wealth, and for this purpose the President is hereby requested to permit such committee to inspect the tax returns of any corporation, association, or partnership in accordance with section 257 of the revenue act of 1913."

I would like to see some real reconstruction legislation adopted as a beginning point. I do not think this Congress has really done anything along that line. That was pointed out immediately following Senator Walsh's address by Senator Owen of Oklahoma.

I have read an article in the North American Review which I think has a pretty direct bearing on this whole question. It is in the May, 1920, issue. The article is entitled, "Revolution or Evolution in Belgium?" by Henry DeMan, evidently a Belgian, who states that he served in the Belgian Army during the war. I tried to find out who Mr. DeMan was from the people over in the Labor Department, but I did not take the matter up until too late to get the information.

Now, the astounding thing here, if his statements are true, is that Belgium has very rapidly recovered in an industrial way. He says: "The cost of living is only about two-thirds of what it was a year ago, and in spite of the unfavorable foreign exchange, the downward trend continues." That is something we can not say for our country.

Continuing he says:

The most characteristic fact of all is perhaps that the output of coal, which in most other countries is going down steadily, has continuously increased and is now practically as high as before the war. The latest returns (October, 1919) show an output of 98.6 per cent of the monthly average, in 1913, in spite of the shortening of the shifts from nine to eight and one half hours.

He further says:

The most striking feature of the condition of Belgium in 1919 is undoubtedly the absence of serious industrial disturbances and the immunity of the labor movement from extremist tendencies.

Referring to the growth of trade-unionism since the war, he says:

The recent progress of trade-unionism has been faster than even in England, the unions having increased their membership by about 400 per cent in one year. Collective bargaining on a national scale has been introduced in the two main industries, mining and metallurgy, in which it was practically unknown before the war. It has become the rule in most others. The 8-hour day prevails where the 9 or 10 hour day existed until 1914. The railroad men, who until 1918 had been

deprived of the right to form trade-unions, are now almost to a man affiliated with the union movement. The National Government, which before the war had practically refused recognition to the labor unions, now consists of their representatives to the extent of one-third, and stands pledged to a policy of recognizing the participation of the labor union in the management of industry.

I am not advocating those changes, Senator, I am simply pointing them out.

The CHAIRMAN. That has been very largely the condition in this country. I know, for instance, in the shipyards conducted by the Government in many places, they not only recognized organized labor and made no discrimination against it, but they discriminated against everybody else. They would not allow a man to work in the shipyards (notwithstanding the necessity of getting the ships) unless he belonged to the union. He could not get a job.

Mr. LYMAN. My purpose in reading from this article is to show that other methods have been used since the war in other countries, and apparently successfully used, if this statement is true, and I believe it is in the main.

So that it would seem that we might at least proceed cautiously. I would like to see the Railroad Labor Board tried out for a while and see what it can do. I would like to see something constructive done with reference to the question of profiteering and excess profits.

The CHAIRMAN. What would you recommend on that subject? As an illustration of that question, I might say that we have got laws preventing combinations in restraint of trade. The extent of that law and the efficacy of it, to a certain extent, is shown by what you have just said, of the need of exempting farmers' cooperative societies from the effect of it. So far as that is concerned, then, and so far as we can do anything by legislation, of course that is only the beginning of things—the passing of a law; when you put it on the statute books it does not amount to anything at all unless it is enforced. I introduced a bill myself, and the bill was passed into a law and is now on the statute books, and it is true, I am inclined to think, it will come to an end when the war technically comes to an end, but that is not yet; it is still in existence—which bill was framed after an exhaustive study of the situation of profiteering, particularly in food products, and it was afterwards extended to include any necessity of life, to punish hoarding or speculating, or undue profiteering. That law is now on the statute book. So you arrive at the point after awhile when your mind is practically exhausted of remedies in so far as legislation is concerned, and you want to know what else is connected with it that can be effectively accomplished.

Mr. LYMAN. My point is, that up to this time this Congress has done nothing along that line. They have had hearings of the packers and you probably know that Senator Kenyon is making a gallant fight to have the bill reported out.

The CHAIRMAN. Yes.

Mr. LYMAN. But the steering committee is evidently determined that it shall not come to a vote.

The CHAIRMAN. They had a case against the packers, and I understand it was agreed to settle it on certain terms. I do not know whether any facts have been produced. One of the things that was proposed, I think, by the Kenyon and Kendrick bills was to separate

the stockyards from the packing business. I understood that was done through that litigation.

Mr. LYMAN. Are you not referring to the Attorney General's so-called consent decree?

The CHAIRMAN. Yes.

Mr. LYMAN. Well, I have taken a very strong position against government-by-consent decree. I do not think it will remedy the situation at all, because we have had those decrees entered before, and they have not proved a remedy.

The CHAIRMAN. I do not like that, either; and my purpose in mentioning this was that these laws are on the statute books, and it is just as important to proceed to enforce the laws as it is to pass them.

Mr. LYMAN. There is a good deal that I would like to say with reference to the stiff-necked and grasping attitude of certain corporations, but I think that Mr. Campbell's address before the National Manufacturers' Association will take care of that in a way.

My suggestion now is that we all earnestly and conscientiously take hold of this proposition in a spirit of fairness and give full and fair consideration to the contentions of both labor and capital and that of the general public whose interests, of course, should transcend the interests of anybody.

The CHAIRMAN. The general public has often been spoken of as if it were a different party from the farmers and laborers. As a matter of fact, the farmers and their families and the laborers and their families constitute the biggest part of the public.

Mr. LYMAN. Mr. Chairman, I do not know whether I have made myself plain yet. Here is the way I look at the situation in this country now: It is a glorious country with glorious institutions. We have tremendous resources. We have all the elements that make for the creation of wealth, and we have created great wealth, but an undue part of wealth has become concentrated in the hands of comparatively few, and to such extent that through their money and power they have become an invisible factor in government, and they are dominating position in government, and as to the position between labor and capital, we know exactly what weapon labor has, and that is the strike, which always fails unless it is backed up by public opinion; while capital has this concentrated wealth, and it can use it in many ways, which the public can not fathom—including publicity, which capital owns or controls.

The CHAIRMAN. I think there is a great deal of truth in that. Perhaps abuses of that kind are not as bad as they were before, although they are bad enough.

Mr. LYMAN. I think the tendencies are worse because recent decisions of the court have made it possible for them to continue carrying on this piling up of wealth. That is the proposition that I am getting at. These labor folks are human after all, and this is a democracy. Now, is it wise to try to compel organized labor at this time to work, or is it not better to go at some of these other things which we know are the causes of unrest? We are all uneasy and suffering under the yoke at the present time.

The CHAIRMAN. You say we are suffering under the yoke and there is unrest and a bad condition of affairs. Admitting the worst and giving the most adverse construction to conditions, is it not a fact

that this country and everybody in it, compared with other countries of the world, is pretty well off and well situated?

Mr. LYMAN. I think that is true, and I think the world expects a lot of us, too, because we have this great domain from which to create wealth.

The CHAIRMAN. Here is another proposition. I do not think we are so far apart—but admitting, as I say, all the abuses of invisible government—and that is what we conducted the so-called progressive campaign against in 1912, and I know there were a good many people who did not help us very much then, when we had a real opportunity to get control of the Government on that issue—but will it do any good toward ameliorating the abuses of concentrated capital to allow a small party of men—they call themselves, some of them do, the fighting minority, some of these radicals—to tie up the transportation of the country? What good would that do toward reducing the power of the invisible Government?

Mr. LYMAN. There is no doubt that some way should be found; there is no question about that. I am afraid that the remedy, if applied at this time, in the way which is advocated and provided for in this bill, would not give us a better situation. I think the people are so imbued with the idea that there is invisible government here that they are not in the right frame of mind—I refer to the laboring people. Now, you can force folks, of course, and we may have our Armies and our soldiers, but it is not the way to handle things in a democracy such as ours.

They came out of the war feeling that they had done a good work in the main. People in high places told them so, and now, for instance, they look across the water and see what Belgium has done, and see the liberalizing tendencies in Great Britain, for instance, and then they see the representatives of the chambers of commerce opposing them in rights of collective bargaining, to which the farmer's representatives and even Rockegeller gave approval at the Industrial Conference. They see a wedge being driven in between them and public opinion, and legislation being discussed which really goes in the other direction. Now, I think for the time being we had better try out the Railroad Labor Board and public opinion. I think labor has learned some lessons. They have made some serious mistakes and they know it; there is no question about that, and they are trying to regain their former position. The result of the switchmen's strike shows that, and also the attitude of Mr. Gompers and his associates. I think they are going to try quite hard, and I would rather see them given an opportunity right now until we correct some of these outstanding abuses which are increasing the power of what you refer to as invisible government.

I have a peculiar idea about government. I feel that theoretically our Government is intended to protect every part of its citizenry. It is the function of lawmakers down here, and the Executive Department, etc., to plan for the good of all, impartially, and to deal out justice to everyone. But, practically now, we have got these great organizations influencing government, labor in the open and capital most frequently behind closed doors. That is why the farmers are organizing. Farmers have been forced to organize to protect themselves, and to be in a position to impress their viewpoint on legislators and others—not exactly to gain their viewpoint,

because it would be the collective judgment of all that would finally determine matters; but unless they are organized they are not going to be in a position to effectively press their viewpoint on the Government or give lawmakers full data on which to base wise legislation.

Now, in the case of the human body it is the brain that guides the welfare of all its parts. If I stood over my desk too long, my intellect tells me I have to go out and seek fresh air. We have illustration of a strike in the human body. If I overeat, my stomach may go on strike. It is the natural way when the human being is not being protected and not being taken care of physically. In such case some part is going to suffer, and there is going to be a reaction and a strike. Until we get down to some of these fundamental things—the concentration of wealth and disposition of excess profits, etc., and work out a means which will afford justice to labor, I think we are making a mistake to start with antistrike legislation.

The CHAIRMAN. Do you think we should increase our excess-profits tax? Do you think the present excess profits tax is too low?

Mr. LYMAN. Well, Mr. Chairman, as to that I would like to incorporate several paragraphs of Senator Walsh's speech the other day, referring to the fortunes that were made. Something is wrong there, evidently.

The CHAIRMAN. Well, there is a good deal of wrong. Of course, we are discussing matters now that have no particular bearing upon the hearing.

Mr. LYMAN. I feel that these big corporations are well advanced in their plans for antisocial legislation; that is the whole drift right now. The fact that there is not a single thing that has come out of this Congress as yet on which the farmers' organizations of the country have agreed, and which they really want, is significant. The organized farmers asked for the Capper-Hersman bill a year ago. It has not come to a vote in the House yet, and is not yet out of the Judiciary Committee of the Senate. We are asking that the Government nitrate plant at Muscle Shoals, Ala., be permitted to manufacture nitrate fertilizer and not be scrapped or turned over to private enterprise, and I doubt whether that bill will be reported out of committee. I doubt whether there will be any packer legislation at this session. It does not look to me as if we are going to get these and other matters that are important to farmers. There is an insidious lobby here in Washington fighting against them. That same lobby has been trying to drive the wedge between the farmers' organizations and the labor organizations.

I believe in being fair. When the labor organizations are wrong, as they have been on many occasions, I think the farmers' organizations ought to make their protest felt. I was in favor of sending a representative from our board over to Mr. Gompers's meeting last December, with a carefully prepared statement showing how labor and capital both were adversely affecting the farmers' interest. I favored working with them and agreeing to work with them on certain matters which I believe will help reduce the high cost of living. I refer now solely to the extension of both agricultural and distributive cooperation and not to any political alliance or entanglement. None of our organizations were represented there, however, and Mr. Campbell's telegram to Mr. Gompers was interpreted by

some people to mean that we were absolutely unfriendly to labor, right or wrong, which we are not.

If labor made a mistake in inviting farmers to attend a conference, what are we to say of the attitude of business men's associations who have been spreading harmful, disingenuous propaganda against the farmer in his desire for the right to collectively market, and apparently have blocked the Capper-Hersman bill on the ground that it is class legislation, when we know that corporations are allowed to organize and are declared to be a legal entity. Thousands and tens of thousands of stockholders have the right to elect their own management and buy and sell without fear of prosecution. It is not what Swift & Co. have done as a corporation, or what Armour & Co. have done as a corporation; it is what they have done together that has brought them before the bar of public opinion. But Swift & Co. have 35,000 stockholders; that is nearly double the stockholders in the Chicago Milk Producers' Association. Nobody questions the right of 35,000 stockholders in Swift & Co., which is declared by corporation law a legal entity, to buy and sell and name their prices to consumers and pay their prices to farmers, but when representatives of fifteen or twenty thousand milk producers met together and applied the formula of cost of production that had been worked out by the College of Agriculture in Illinois—and when they had arrived at the data on cost of production, and asked for that price with only a fair profit added to it, they were arrested, intimidated, and finally brought to trial. The farmers were acquitted by a city jury, but the cost of the trial amounted to over \$65,000. That is enough to break up a farmers' association, unless the members are thoroughly imbued with the ideals of cooperation and self-help.

Similar prosecution has been going on in half a dozen States, often inspired, I am convinced, by business groups like the National Manufacturers' Association and the Philadelphia Board of Trade. In the State of New York and in California the farmers who are producing milk and through their cooperative associations are trying to secure a fair return on their labor and investment are at this moment facing the possibility of defeat and disruption through the organized opposition of middle men, manufacturers, and those who cater to the rights of capital. It is with a rather full knowledge of the methods that such men employ to secure at all cost apparently the breaking up of the farmers' cooperative marketing, together with a knowledge of the part they played during the war in securing for themselves handsome profits while denying farmers a fair return or even actual cost of production, that I now am unwilling to see legislation enacted that will place the railway workers and others at the almost certain mercy of the capitalists of this country. The same forces that are loudest in demanding this legislation are the ones that will next use their victory, if they get it, to force farmers to their knees.

Provide some certain means of giving justice to all legitimate demands whether of farmers or labor, strike some real blows at excess profits of the great profiteering corporations, put some stability into the public's investment in Liberty bonds, enact some constructive legislation at this session of Congress that will give the people confidence that they have a Government that is as willing to protect human lives and happiness as it is to protect dollars—then it will be

time enough to take up the question of antistrike legislation, and not till then.

The CHAIRMAN. We are very much obliged to you.

ANNUAL MEETING OF NATIONAL MANUFACTURERS' ASSOCIATION—THE FARMER AND THE CLOSED SHOP.

Address delivered by Milo D. Campbell of Coldwater, Mich., at the Waldorf Astoria Hotel, New York, Wednesday forenoon, May 19, 1920.]

The subject assigned me is of the mine-sweeping class, and is fraught with more or less of jeopardy. The public, however, has come to have little use for the conscientious objector who dodges war, danger, and public duty. Dante, in his Inferno prepares a hell, down underneath all other hells, for the man who never takes sides upon great questions of right and wrong.

While the war was making the world fit for democracy, democracy was being unfitted for the world. Since 1914 more than a score of kings, emperors, and other monarchs have been pushed from their thrones, leaving 300,000,000 of people over in Europe and 150,000,000 over here wondering what sort of democracy after all the world would put in their place.

Every representative democracy of the past has been founded to give to tillers of the soil, producers of food, the peasantry of the country, a voice in government. And every republic that has been wrecked along the shores of history, has been driven to the rocks, through forgetfulness or abandonment of this divine purpose.

Following the Revolutionary War, 56 of our forefathers, from thirteen colonies met to prepare a constitution for the future guidance of a Nation just learning to walk.

Bryce in his American Commonwealth says:

"There were no reactionary conspirators to be feared, for everyone prized liberty and equality. There were no questions between classes, no animosities against rank and wealth, for rank and wealth did not exist."

To-day following the World War, with a Republic grown from 3,000,000 to 110,000,000 people, we find ourselves confronted with a far more serious problem than that of forming "a more perfect union" of geographic divisions.

The union that alone can save this Nation from some type of insane radicalism, will be a better understanding, a more representative program between the classes that have been growing in size and power, but growing further and further apart.

I enjoyed the speech of Senator Edge of New Jersey yesterday and with most of it I agree. But there was one sentiment expressed by him, that should I allow to pass unchallenged. I would feel that I had been derelict of duty and faithless to the best instincts of my soul. I refer to the hope he expressed that soon the country might see the exemption of labor and farmers eliminated from the Sherman and other anti-trust laws of the country.

The farmers of this country do not forget that 90 per cent of the Revolutionary soldiers were farmers, that 75 per cent of the boys from both North and South in the Rebellion came from the plow, and 50 per cent of our soldiers in the World War were from the country.

They are proud that no red flags are found among farmers and that the Constitution is a part of their creed.

They will form no alliance with socialism or with any other apostles of bolshevism or disorder.

Much discussion has been had about the open or closed shop. It has been treated as though it were a question for direct legislation. As a matter of fact, it is a question of contract and solely between the employer and his employees. If the employer believes the closed shop to be advantageous, that is his privilege. If he wants an open shop, that, too, is his privilege, and in his choice he is sovereign.

The right of employees to work in a closed or open shop is just as sovereign as the right of the employer. If either party invokes methods for the enforcement of his choice upon the other that are illegal, or employs force or violence, the power of the State in all its branches should be exercised to maintain order and to uphold the law.

Nobody can longer question the right of labor to organize or challenge the benefits that have come to labor through organization. The criticism of the labor union comes from the abuse of the right to organize by the few radicals.

Capital, equal to one half the wealth of the Nation, is to-day organized into unions called corporations. These corporations have members called stockholders, in numbers from a half dozen to hundreds of thousands each. Every corporation is doing collective bargaining, acting through delegates called officers, and performing exactly the same functions as the labor union.

These officers or agents, hire and discharge men, open and close the shop at will, lay off men for a day or week at pleasure, buy and sell products when and where and at what price they like.

The labor union has the same legal right to sell its only product, that of labor, in the same manner, and to do so through agents. Morally, if the agent of a labor union conducts himself judiciously, he ought to have equal standing with the agent or officer of the stockholders.

It is not organization, it is not the open or closed shop, that concerns the industrial world most at this time, it is the radicalism that is found in the ranks of labor and in the ranks of capital.

Our institutions may be in slight danger while wages are constantly rising, while every demand is being met for increased pay; but when the down grade starts, when the peak has been turned, the testing day will have come.

A few days ago Mr. Vanderlip said that laboring men were studying income tax returns. Farmers are also studying them. In that study they have learned that for every dollar of net income returned from the farms of the United States, manufacturers have returned \$72. But that statement is not wholly fair, because net income under \$4,000 was not taxable in 1917. But the farmer and wage worker are observing the colossal stock and other dividends that are being declared, daily, by the great concerns of the country, showing earnings from 25 to 800 per cent profits, and very much of the capital upon which these earnings are being declared, consist of blue sky.

New capitalizations are also going on at the rate of more than one and a half billions of dollars per month. This means that dividends must be earned upon all of this enormously increased capitalization, and that wage workers, farmers, and consumers must carry the burden.

That business has been prosperous they also observe, for in 1919 there were but 4,700 industrial failures in the United States, the lowest number in 47 years.

I know that my words could be better chosen were I selecting them for applause, but the hour demands plain talk. Conditions are upon us that call for sober facts.

The ownership of property is the only rock upon which a republic can be securely founded. I do not mean that franchise or representation should be based upon property, but when the right of property rests in the few, as in the great cities, government and constitutions become the easy subjects of frenzy.

Ten days ago the great city of Chicago, the second in size in the United States, sent to a State convention a solid delegation of nearly 700 delegates, pledged to a plank in the national platform that would confiscate from war profiteers, from men whose wealth has increased during the war, enough money to pay our cost of the war. That struck an approving but unsafe chord in the heart of every man who would like to see the profiteers brought to justice. But sober thought asks: Could that method be carried out and save the Nation from a repetition of like proceedings, whenever a temporary majority could be obtained? Would we not be Mexicanizing instead of proceeding under constitutional safeguards?

But the farmers—owners of land—the defenders of our Constitution—are rapidly decimating the numbers. They constituted 70 per cent of our population 40 years ago and are but 35 per cent now.

They are the only aliens industrially that we have among us. They are not allowed to act collectively in the sale of their products. They are in the same condition that they have been for a thousand years in the matter of markets. They have nothing whatever to say about the price either of what they buy or sell. Government embargoes have been placed upon the sale of their products. They have been denied foreign markets during the last 18 months and robbed of hundreds of millions of dollars, while manufacturers, merchants, and other business interests have been unrestricted in their markets.

Cheap city politicians have had more than 30 of the most reputable farmers of the country indicted and placed on trial within the last few months for collectively selling their milk for city distribution. Five trials of these 30 men have been had in as many cities, although in every instance the men have been promptly acquitted after long and expensive trials.

I can not refrain from relating this compliment to the sense of fairness in the American heart.

The jurymen who sat on the panels were principally wageworkers with families, and bought the milk of these farmers. To obtain one of these juries the city prosecutor examined 800 men before he could find a jury to suit him. The juror must never have been a farmer, he must have no relatives or friends who were farmers, he must be a man of family, and a consumer of the milk shipped into the city by

these defendants who lived in the country. It was not claimed that the price was extortionate, for it was below cost of production.

The offense charged was that the man had sold collectively.

But that jury of laboring men, after weeks of evidence, with cards on the table, quickly acquitted every one of the defendants. It was the highest compliment to the American sense of justice and fair play that I have ever seen.

The farmers have petitioned through every farm organization of the country for relief from the tyranny that prevents them from collectively selling the products of their own toil. The only opposition that they have found openly against them have been a few chambers of commerce in some of the larger cities, and their only organized support has come from the American Federation of Labor.

A year ago I believed that there was a tendency upon the part of radical elements of organized labor to override law and the Constitution, and to try to secure by force intimidation and unlawful means their demands upon employers. The steel and coal strikes seemed a direct challenge, and the Boston police strike was a direct blow at the sovereignty of the Government. Because of this danger, I refused to join in a call for a conference of farmers with the American Federation of Labor to be held at Washington last December.

Leaders of the North Dakota Non-Partisan League are said to have proposed to labor, "We have a third of the votes, and you have a third, let's get together and tell the other fellows to go to h—." I didn't believe in that doctrine.

But the danger of labor radicalism is being at least temporarily removed by the organization itself. "Fosterism" is discredited. The attitude of the American Federation of Labor in the switchmen's strike has been one deserving of commendation.

It has been asked whether there was likelihood of a working or political alliance of farmers and labor. The problem is not easy to answer. Their sympathies are alike, but their position is upon opposite sides of the counter. One is buying the other selling. Their common interest would be in shortening the distance between them. The farmer would profit with high-priced food and low-priced labor, while the laboring man would profit with low-priced food and high-priced labor.

But of one thing there is certainty, there will be no alliance of the farmer with any organization that encourages or tolerates violence or disorder.

Upon the other hand both labor and farmer begin to feel their lack of representation in Government and industry. They are weary of benevolence, for many a slave has had that. They want a voice in the Government they support and in the industry their hands have created.

Not 10 per cent of labor is radical, though there is a spark of radicalism in every soul.

But even the so-called reds are not much if any more dangerous or disturbing to industry in this country than about 1 per cent of the manufacturers.

I refer to the manufacturer who fears no competition, who has a business wherein he can raise the price of products at pleasure, with profiteering margins that will permit of any wage necessary to get men from any other manufacturer or from any other employment, that will draw every hired man from the farm, and spread discontent among workmen in other factories and plants where competition is sharp and profits small.

It is this class of manufacturing that today is threatening the Nation with shortage of food, and planting seeds of the Soviet among workmen in other callings.

There can be no denial of the right to strike in private industry, without undermining the constitutional rights of private property and the pursuit of happiness guaranteed to all men. Conspiracy can be punished.

Certain it is, that the time has come when the life of our people, our physical and political existence, is threatened with extinction, unless some way can be found to avert the consequences of great and far-reaching strikes.

Within the last 30 years we have become interdependent upon each other for daily needs. The wage workers and poor are the first to suffer from the paralysis of a strike.

A Government too important to protect its people from such calamities is too worthless for preservation. The white papers that came from the belligerent nations after they had entered the war, explaining the reason why they were fighting came too late to save the world from Armageddon.

There must be, in some way, by which the white papers of industrial controversy can be presented in a manner of public opinion before the declaration of war. Cards must be laid on the table. I insist the public is the chiefest party interested in industrial controversies. If the public is compelled to starve and suffer cold, to pay 30 cents a pound for sugar \$15 a ton for coal, if it can be had at all.

But the trouble with arbitration courts has been that labor has been without representation, except through benevolence.

Public opinion is the greatest court in the world and enforces its own edicts. Our sentiments changed concerning the coal strike, when we learned that the operators were the ones who had the Nation as well as the miners by the throat. But that controversy ought to have been settled without a strike.

The threatened strike of trackmen whose wages are but \$2.24 to \$3.23 per day ought never to materialize.

Class bitterness and lack of understanding is driving this Nation rapidly toward an abyss. Want of representation and want of interest in the thing being done are the underlying causes of our unrest.

If the farmers that yet remain on the job were to strike for six weeks from to-day, millions of our people would starve to death within the next year and the balance would be on starvation rations. But the farmer will not strike. Not because he is more patriotic than the urban dweller or the wageworker, but because he has an interest in the crop he is helping to grow. It is because of this that he works from 12 to 14 hours a day, saves, and protects his crops.

When this principle is injected into our wage-working system, the Nation can breathe an air of security from the Bolshevism and Socialism that is sweeping through the world. When the worker shall have some inducement beyond his fixed wage, for efficiency, for longer hours of work, for interest in his employer's business, oppressive laws will not be required.

The words of Leach, Rockefeller, Schwab, Vanderlip, Pershing, and a host of others are words aimed at employers who do not take kindly to the doctrine of "cards on the table" or "cooperation."

If a fair basis be agreed upon between capital and labor, and all over a certain profit be divided between employers and employees, inefficiency and slackerism will at once take wings, for employees will clean their own stables of both.

The 5,000,000,000 days of labor lost to normal industry in this country during the war is not being retrieved. We are four millions of wageworkers short, with a million waiting for their passports to leave our shores. Immigration over emigration has been but 17,000 per annum during the last two years.

Efficiency of wageworkers has dropped from 25 to 35 per cent since the war; food scarcity is imminent; and in the midst of it all, the interests that are doing more to cause these conditions apparently hold the reins and assume the attitude of Louis XIV: "After me the deluge."

Reforms that will give permanency to this Republic can not wear the equipage of war, they must come from the heart of industry.

They must be red blooded with democracy, with the right of representation in government and in the job of the toiler. Greed and avarice that use the big dipper for blue sky and profits must be curbed and the red element of labor must find no quarters. The duty of the hour is to save this Nation from radicalism of both labor and capital without destroying either. This ought not to be the job of the other fellow. Both labor and capital should clean their own stables. To-day it is up to capital to follow the example of federated labor in the switchmen's strike.

Let us make our own:

This land of the free, is for thee,
Live in it, work in it, love in it, weep in it,
Laugh in it, sing in it, die in it, sleep in it,
For it's free, and for thee and for me,
The fairest, the rarest that man ever trod,
The sweetest and dearest 'twixt the sky and the sod
And it's mine and it's thine,
Thank God.

STATEMENT OF A. M. LOOMIS, SECRETARY TO T. T. ATKESON, THE WASHINGTON REPRESENTATIVE OF THE NATIONAL GRANGE.

Mr. LOOMIS. I appear here at this time as you know, Mr. Chairman, because Prof. Atkeson is ill and unable to attend. If he were here he would probably supplement the document which I want to put into the record on the subject of strike legislation by some personal observations, which I can not do, although in a measure I can indicate along what lines I think they might run.

I wish first to read for your information, Mr. Chairman, and for the record two paragraphs from the resolutions which were adopted at the National Grange session at Grand Rapids, Mich., in November last, which come as near discussing the subject of strikes as anything which appeared in the record at that meeting. I will preface that by saying that at that meeting there was a resolution adopted which declined an invitation to the conference on general industrial matters, which was extended to the National Grange by the American Federation of Labor, over the signature of its president, Mr. Samuel Gompers. That invitation was presented, referred to a committee, considered for several days, discussed, and declined.

This paragraph is on the general subject of nationalization, and reads as follows:

While recognizing the evils of uncurbed power growing from swollen fortunes in the hands of unscrupulous and ambitious individuals, the National Grange declares that in the government of a free democracy is lodged ample power to curb all such evils. We declare our opposition to Government ownership and to nationalization of business and industry unless clearly required in the public interest. We favor the safeguarding and protection of every right of private property on the broad ground that only by the full development of the right of private property can there be perpetuated the full measure of the individual initiative and emulation upon which a democracy is based and by which the future is assured.

Now, Senator, that resolution was adopted in November. Since that time there has been two evidences as to the ability and efficacy of a democracy to act on that proposition. One is the creation of boards of arbitration and conciliation, as provided for in the Cummins-Esch railroad bill, which is designed to carry out the exact idea expressed here, and the other is the very much discussed labor wage tribunal, established in the State of Kansas by act of the Kansas Legislature. Those, I think, are illustrations of what the grange had in mind when they said that in a free democracy is lodged ample power to take care of this situation.

The second paragraph I wish to read is headed, "Orderly government," and is as follows:

In a democracy the interests of all the people are paramount at all times and under all circumstances to the interests of any group or class of its citizenship. The grange condemns the shrewd and cunning efforts of agents and propagandists of foreign ideas and "isms" which tend to foment disorder in this country, and insists that they deserve severe punishment. The rule of the majority, expressed through the ballot box, must be unquestioned. The grange upholds the principle of orderly government, and insists that all reforms shall come through the orderly means of the ballot box, the courts, and constituted authority.

Now, I think that the members of our organization, the six or seven hundred thousand actual farmers, should, in their public thinking, and reaction on governmental affairs, function through this order which Prof. Atkinson represents here—

The CHAIRMAN. That is the grange?

Mr. LOOMIS. That is the grange.

The CHAIRMAN. Will you cite the page and title of the volume from which you are quoting?

Mr. LOOMIS. Yes, sir; if you will please let me complete the sentence first, and then I will give you the reference—feel that the strike, as a weapon, is a weapon which is in the interest of a group or class in the community, and in the last analysis, is a weapon which is used so that that group or class of citizenship may, as in the past, establish a preference over the whole public.

Mr. Chairman, these two paragraphs which I have read are found on page 147, the first one, and page 146, the second one, of the journal of the proceedings of the National Grange of the Patrons of Husbandry, fifty-third annual session, at Grand Rapids, Mich., 1919.

I want to supplement that by some extracts which were put in the record at the time the antistrike section of the Cummins-Esch railroad bill was under discussion.

These extracts are from a few of the many letters written to the Washington representative of the grange by State grange masters on this subject:

S. J. Lowell, New York:

I strongly approve such Governmental action as will prevent such happenings as we have witnessed in the past few months on the coal industry, the steel industry, and as has been threatened on the railroads. First, there should be fair tribunals to adjust wage and labor difficulties in the essential industries, and then there should be Government control strong enough to prevent any single class from seeking by force or cunning to escape the judgment of a fair court.

Mr. Lowell, of Fredonia, N. Y., at that time gave out that interview after a hearing before Senator Cummins.

Here is another paper—shall I read this, Mr. Chairman?

The CHAIRMAN. It will be incorporated in the record.

(The paper above referred to is here printed in full as follows:)

The National Grange is made up of the farmers of 33 States, and these farmers, as shown by the action taken by their representatives at the annual session of the National Grange at Grand Rapids, and by letters to the Washington representative since that event, have never upheld Government ownership, and have even less inclination now than ever before to support it or Government operation of any other business which may be handled in the interest of any class.

The farmers are the originators of large and important freight traffic, and the receivers of a vast amount of freight, and are largely interested in passenger traffic. And they have a direct interest in the railroad legislation now before Congress because of these facts. They do not want railroad transportation interfered with by strikes or walkouts because of these interests.

We have taken a referendum of the 33 State masters, and so far as replies have been received they are unanimously in favor of retaining the antistrike provisions of the Cummins railroad bill, which has passed the Senate. Personally I strongly approve such governmental action as will prevent such happenings as we have witnessed the past few months in the coal industry, the steel industry, and as has been threatened in the railroad business. First there should be fair tribunals to adjust wage and labor differences in the essential industries at least. And then there should be a Government control strong enough to prevent any single class seeking by force or cunning to escape the judgment of a fair court and impose its will upon the whole public to the detriment of all except the few organized for this purpose.

The Cummins bill protects every individual right to choose occupations and to leave a job whenever, wherever, and for whatever reason an individual wishes to do so. That is an American citizen's right. But the Cummins bill protects the public's right to say to any organization of individuals created or permitted under the laws, that such organizations shall not deliberately create conditions so one class has a strangle hold on the rest of the public, and then proceeds to use that strangle hold under the guise of individual liberty.

The grange and the farmers have no more sympathy for the use of such tactics by capital than they have for their use by labor. We demand a control of the packer strangle hold on food products just as strong and with just as many teeth in it, as we do of the control of the strike strangle hold on railroads. I have expressed this to Senator Gronna, chairman of the Senate Committee on Agriculture, which is considering the packer control bills just as strongly as I have my views on the railroad, legislation to Senator Cummins of the Interstate Commerce Committee.

Mr. LOOMIS. I will supplement that by three or four other quotations from the masters of the State granges:

T. M. Williams, North Dakota: Inasmuch as the antistrike clause does not deprive the railroad workers of the fullest opportunity to secure fair play, just wages, honest

and impartial treatment, I am uncompromisingly in favor of the antistrike clause remaining as part of the act.

H. G. Beardslee, Nebraska: We think the time has come when no one organization, or combined organizations, should dictate the policy of this Government. We believe the clause in the bill prohibiting strikes should pass regardless of the fact that a strike is threatened by the federated unions if it is permitted to remain.

F. E. Blakeman, Connecticut: A person who accepts a position on a railroad or other transportation line assumes a responsibility outside of that between himself and his employer to a third party who is innocent of any disagreement between him and his employer. I believe that legislation controlling strikes of this character is justified.

J. H. Roosa, Delaware: I am in favor of any clause in any bill that will tend to do away with strikes of all kinds, especially railroad strikes.

Leslie R. Smith, Massachusetts: We believe that the public utilities should not be subjected to strikes and tie-ups.

Fred A. Rogers, New Hampshire: Every effort possible should be made to keep this provision (the antistrike clause) in the bill.

As to the bill definitely before the subcommittee, as I understand, it has been amended by the addition of the Cummins antistrike clause, which contains at its end that specific recognition of the individual right to leave a job and seek employment elsewhere.

The CHAIRMAN. Yes.

Mr. LOOMIS. Both because that is a right which certainly should be protected and because that without that being added to this bill there might be a strong misrepresentation of the bill. I think Prof. Atkeson would feel that that should be added, and with that indorsement I feel he would go a long way toward approving this legislation as it stands.

Mr. Chairman, I think that is all I care to say for the record.

The CHAIRMAN. We are very much obliged to you.

STATEMENT OF R. D. BOWEN, REPRESENTING THE MISSISSIPPI VALLEY AGRICULTURAL ASSOCIATION.

Mr. BOWEN. Mr. Chairman, I desire to submit a resolution and have it inserted in the record. It is a resolution which was passed by our association—the Mississippi Valley Association—on the question of strikes, at the annual meeting in St. Louis on April 21, 1920.

The CHAIRMAN. That will be inserted in the record.

(The paper referred to is here printed in full, as follows:)

MISSISSIPPI VALLEY ASSOCIATION RESOLUTION—LABOR.

The continuous operation of transportation system, public utilities, and essential industries, such as mining of coal, is absolutely vital to the maintenance of our national existence. It is our opinion that national and State legislation should be enacted providing, first, that all labor organizations shall be incorporated and made fully responsible for their acts; second, that no one may be an officer of a labor organization who is not an American citizen; third, both strikes and lockouts on transportation systems and in essential industries shall be prohibited and proper penalties provided therefor; fourth, that local, State, and national boards of arbitration and adjustment shall be provided so that all complaints may be heard and all just grievances may be remedied; fifth, that the advocacy of sabotage or of the use of violence in changing our form of Government shall be made a crime to be punished by deportation in the case of an alien and by fine and imprisonment in the case of a citizen. In a word, we favor legislation which will give all due protection to the rights of citizens, whether organized or unorganized, whether to the rights of citizens, whether employers or employees, shall be based upon a recognition of the facts that the rights of all the people are supreme over the rights of any portion thereof.

Mr. BOWEN. That resolution was adopted by that body, and I will briefly state that while I do not give that as my individual voice, it was adopted by the body unanimously. In regard to farm products being affected by lack of transportation, or inadequate transportation, I do not mean to say that strikes are entirely responsible for it, but I was through New Orleans some time ago, and I noticed a large quantity of okra for sale at 25 cents a bushel. It was brought in by the farmers, and they claimed that on account of lack of transportation in getting it away from there, they could not get it to the market.

I was in Des Moines, Iowa, some time afterwards, and happened to see some okra, and I priced it there, and the price was between \$12 and \$14 a bushel. I bought some of this okra in New Orleans at 25 cents a bushel.

I see in the morning paper that some string beans were dumped in the stream at Mobile this morning on account of the inability, I understand largely, to get transportation out to the markets. They were offered 6 cents a bushel, and the growers refused to take it and dumped them in the river.

I went by the market here this morning and priced some string beans, and I may be off in my calculations, but I think the price was between \$7 and \$8 a bushel here to-day, retail. I understand in quantities they are sold for less. I do not know that of my personal knowledge, but I do know about the okra transaction, and I insist that there should be some way of adjusting these difficulties without shutting off transportation on farm products.

That is all I care to say, Mr. Chairman.

The CHAIRMAN. We thank you very much.

STATEMENT OF E. A. CALVIN, OF HOUSTON, TEX., WASHINGTON REPRESENTATIVE COTTON STATES BOARD.

Mr. CALVIN. Mr. Chairman, I am appearing here for a few moments at the request of Mr. John A. Simpson, president of the Association of State Farmers' Union Presidents, and also president of the Oklahoma State Farmers' Union, and member national board of farm organizations.

It seems to me that it would be obvious to any thinking person that something has got to be done in order that we may get back to normal conditions. Great cities in this country have been builded, and great farming communities have been developed as a result of the facilities for transportation, for the transporting of food supplies of all kinds from the farms to these great cities. It seems to me that the time is passed for argument as to whether something should be done, and that the time has come for argument as to what is best to be done.

There has been a belief in this country, at least for many years, that labor has an inherent right to strike, and that belief has been more or less common among all the people. The time was possibly when the people, as a whole, did not feel like extending the grounds for that belief, but as conditions changed and as cities grew and farms developed, and the one became dependent more and more upon the other, it now becomes obvious that something must be done in order

that cities may be supplied and that farmers may be able to sell their products uninterruptedly and at all times.

Mr. Chairman, I deny that any set of men, I do not care who they are, whether labor organizations or capitalists or farmers, or anybody else, have an inherent right to destroy property or to starve people to death. If that time has come in this country, then certainly it is time to take some kind of action. I do not believe anybody will question conceding that labor organizations have an inherent right to strike, tie up transportation facilities of the country, etc.. but it does not carry with it the right to destroy cities upon the one hand and to destroy farms upon the other.

Something was said here about labor coming out of the war with clean hands, which apparently it did, and that Mr. Gompers in particular was being praised from one end of the country to the other, and perhaps he was entitled to more or less praise for the part he took in the war. But, Mr. Chairman, I contend that labor is responsible for the agitation that is now going on against labor. Following the war, close on the heels of the war, or approximately at least, there came the introduction of a bill known as the Plumb plan, and I say it, and say it advisedly, that there has nothing been introduced in Congress in a decade that has caused as much feeling against labor organizations as that one thing, especially among the farmers of the country. They feel as if they have an interest in these transportation facilities. They have felt like they had an interest in what it cost to run those transportation concerns. They felt that before they could prosper from their products it was necessary to move them over those transportation facilities to reach the cities, and they felt to delegate the power and authority to operate those transportation to any one set of people was wrong, and they feel that way now about it, and I believe that 98 per cent of the farmers of the country are against that movement. That is one of the main things that has stirred them up, and if there is any feeling on the part of the labor organizations against the farmers, that is one of the main things that has helped to stir it up.

Now, mark you, it was stated here yesterday, and has been stated to-day, that there is an effort going on to drive in a wedge between the farmers and the laborers. Mr. Chairman, there never was a time when the farmers and laboring people of the cities were closer together and I say it now, and I believe that time will confirm my statement, that there never will be a time except in a social way. The farmers have nothing against the labor organizations in a social way. The farmers think as much of them as they do of anybody else. We are all brethren for that matter; but we are engaged in farming and they are engaged in other occupations. We produce stuff and want to sell it for all we can, and they want to buy as cheaply as possible. Then how can it be possible that the farmers of the country and the labor organizations can get along together in so far as, you might say, financial affairs or other business arrangements are concerned? They can not do it. As I said, the statement was made that there has been an effort made to drive a wedge between them. It is not necessary to drive a wedge between them. We are getting along with the labor organizations, the farmers are, in a social way, like we are with everybody else. We are not trying to tie up the banking operations of the country, and are not trying to tie up the packers' operations, or to tie up the financial interests.

We recognize that we have a great occupation which is in itself distinguished, and that we must take care of that, and that we must have all the cooperation that is possible, and all the friendly relations that are possible. We must exercise cooperation and friendly relations. But when it comes to getting together in a great body, it is preposterous and absurd and beyond the limit. We can not think of such a thing.

I want to say that I believe that labor since the war has done more along propaganda lines than has organized capital, if possible, because we hear from all parts of the country that the labor organizations are reaching out, trying to convince the farmers that "your interest is our interest; that there is an identity of interest between us and we must get together."

I get letters from farmers from all over the country some saying "you are wrong," and I know the labor organizations are working on them; whereas 98 per cent of the letters I get are from farmers stating that I am right. They issued a circular covering this question sometime ago, and I just want to read an extract from that circular that was issued by some of the leading farmers' organizations sometime ago, and it was pretty generally circulated throughout the country. I read as follows:

The statement has been made so often and kept to the front so continuously that organized workers have an inherent right to strike, when and wherever they please, that the public generally has accepted the statement as being true and, as a result, strikers have, in times past, received to some extent the support of public opinion. Recent events and happenings, however, indicate that the country generally is giving this question serious consideration and, as a result, there is a growing demand that some other method be employed to bring about the settlement of controversies between employer and employees. This demand is more pronounced on the part of the farmers of the United States than of many other classes, for the reason that they are affected more directly than most other classes. The farmers develop a section of country adapted to the production of perishable products. They spend vast sums of money in building houses and barns, digging drainage or irrigation ditches and in bringing the land up to a high state of productivity.

Such land could not have been developed if the transportation facilities had not been such as to insure that the farmers could get their products to the markets of the country with the least possible delay and before they become unfit for consumption. What applies in the production of perishable products applies, in varying degrees, to the production of all other products and in no case could the farmers undertake to produce extensively, or beyond their own needs, if there were no facilities for transporting their products to the consuming centers.

Now, in connection with that, I desire to repeat that the time has come when some method must be employed to settle these controversies because the country can not stand it any longer; it can not continue along this line and live.

The complaint of labor is that it is not receiving sufficient wages, and therefore it becomes necessary to organize strikes, and to have strikes in order that they may assert their rights and demand what shall come to them.

Mr. Chairman, I would have them not overlook the fact that the average earnings of a farmer and his family, in the Southern States, where cotton is grown, is less than \$750 per annum—that is gross; not net. When the farmer realizes that he is earning only about \$750 per annum and looks at what he considers the more favored city cousin, and finds that he is getting \$1,500, \$1,800, \$2,500, \$3,000, etc., naturally he feels that he is not getting all that is coming to him.

Yesterday some one remarked that the plumbers, I believe, in Birmingham, Ala.—I saw the article myself in the papers—had demanded \$12 a day. He met that statement with the statement that some other men are making \$125,000 a day, and nothing was said about that. But he did not say that probably 95 per cent of the plumbing that is done in the United States is done for people who earn meager salaries, and if they have got to pay \$12 a day for plumbing on their meager salaries, they will be certainly in desperate straits. So his statement amounts to nothing. He simply side-stepped the proposition entirely. He overlooks the fact that the overwhelming majority of the people who are paying those wages, are people who are working for ordinary salaries.

There is one other statement that I want to read from this circular. It is stated as follows:

What would be the verdict of the people if the farmers of the United States should suddenly decide to go on a strike and refuse to supply the wants and needs of those who are not in position to produce food and clothing for themselves? They would be condemned from one end of the country to the other, and the fact would be pointed out that they, as the owners and tillers of the land, had no right, either moral or legal, to bring about such a calamity. If the farmers who own and occupy the land have no such moral or legal right, then why should it be conceded by anyone that those who handle the farmers' products have a right to block the transportation or industrial facilities of the country and thus jeopardize the food and clothing supply of the Nation? If the farmers have no such rights, those who handle his products have no such rights.

Now, is there a man in this small audience that will seriously contend for a moment that farmers have an inherent right, Mr. Chairman, of suddenly organizing a strike and demanding that certain things must be done or they will starve the world to death? I do not believe that anybody will contend for that. I have been representing a farmers' organization since 1905, and I have never made such contention, because I think it is morally wrong. There must be some other kind of remedy applied. They own the land; they occupy the land. Suppose they would suddenly decide, "I have accumulated enough in the last two or three years"—and the chances are they have—"to last me, and therefore I will stop working, or refuse to produce." It would be morally wrong certainly, whether it was legally wrong or not. It would be many months before it would be legally wrong, because the Congress and the legislatures of all countries would be compelled to take action immediately.

Now, is that unlikely in the feeding of the cities through the instrumentality of the railroads and other transportation facilities? Not at all. The principle is the same.

One of the speakers here, Mr. Chairman, mentioned the fact that the dairymen are prosecuted in Chicago, which is a fact, and that is deplorable; I was awful sorry to see that, but at whose behest, I wonder, was that body prosecuted? The laboring men said that perhaps 95 per cent of the population made complaint of the price of milk and that brought about the prosecution, unquestionably. The same thing happened in New York. I saw a statement in the New York papers that some one of the labor organizations had met there and unalterably condemned the farmers for asking the prices for milk which they were asking. Then they talk about cooperation along business lines. God bless them; we will stand by them and fraternally help them fight for the right, but when it comes to a matter of that kind, the farmer can take care of himself and his own

business, and the city laborer must take care of his. There is no other way out of it. So that all of this talk throughout the country about cooperation between farmers and labor organizations goes for nought; there is nothing to it.

Mr. Chairman, I do not think there is anything further that I desire to say. I did not expect to talk this long.

I simply desire to repeat that the farmers of this country believe firmly that, as set forth in this circular, some remedy ought to be found to take the place of the strike; that if the laboring men have grievances they may obtain redress of their grievances without bringing calamity upon the country and upon all of the human race.

Mr. Chairman, there is just one other statement that I would like to make. I want to say that we also believe, as Mr. Lyman has forcibly brought out, that there should be some remedy applied, and applied immediately, to this profiteering. We believe it is uncalled for, un-American and unpatriotic, and we believe that it is doing more than any other one thing to bring about a socialistic and Bolshevik feeling in this country, and I can not help but feel sorry when I see so many of our great men—I mean business men—indulging in this wholesale, unjustified, uncalled for and unnecessary profiteering, and I hope we will be able in conjunction with this, and all other plans, to work out remedies.

ADDITIONAL STATEMENT OF MR. R. D. BOWEN, REPRESENTING THE MISSISSIPPI VALLEY ASSOCIATION.

Mr. BOWEN. Mr. Chairman, it strikes me that there should be in this matter a "tote fair" basis for all concerned, and it should be very strongly here and ought not to be opposed by anybody.

I was very much impressed by the record of the laboring men in the war. But it is well recognized, and we must not overlook the fact, that the farmers made the same record also in the war. The farmers worked early and late; they produced largely, more largely than ever before, upon the behest of the Government. They never went on a strike before the war, during the war, nor after the war. They produce irrespective of price; and, to my knowledge, after producing enormous crops with no adequate facilities for distributing those crops and marketing them, they sold those crops below the cost of production, appealing to the Government to aid them in disposing of those crops, to very little or no avail, and they paid the increased price for labor, which they were perfectly willing to do, and are now willing to do when they get the price for their production; and they and their boys went into the war, and a great many of the girls, and made splendid records from the farmers' standpoint. No one wishes to conceal that fact, but it has not been brought out, while the other part has been brought out.

Mr. Chairman, I desire to make a brief statement concerning the services rendered by the farmers of the United States to our Nation during the war. Repeated stress has been placed on the creditable showing made by labor during the war, and no one desires to take from labor one part of the credit for the loyalty and zeal shown by the laboring men who were in the Army across the seas and in the service of our country at home; but, as director representing agriculture of the area covered by the Mississippi Valley Association, I

desire, without reflecting upon labor or anyone else, that the record also show that the farmers and their families who sent their boys abroad did their full share in winning this war, and I am safe in stating that fully 99 per cent of the farmers of the United States and their families were loyal to their country during the World War, and not only was the influence of the farmers felt abroad, but also at home, for had it not been for the increased production of the farmers of the United States in food and feed stuffs this war could not possibly have been won.

In fact, our entire commercial structure and the very industrial, commercial, and financial life of our Nation depends upon the farmers more than any other one factor. In fact, most every other factor could be dispensed with, temporarily, at least, and still our Nation would survive provided the farmers remained at their posts; but let the farmers go on a strike or fail to produce, then every industrial, commercial, and financial enterprise of our country would go into bankruptcy.

All this must be upon a "tote fair" basis. This is all the farmers want, and I assume this is all that labor men, capitalists, and manufacturers want; but it is a certainty that without agriculture our transportation systems could not possibly exist.

During this war, in response to appeals on the part of the Government, our farmers increased production as never before in the history of our Nation, and in addition to feeding our own people and our own soldier and sailor boys abroad, we practically also fed the whole world. And during all this time, irrespective of the price they received for their products, our farmers and their families never ceased to produce, and labored 12 to 16 hours a day and sometimes longer, and never complained and never went on a strike, and to my knowledge in many instances they were compelled to sell their farm products below the cost of production, for it is a well-known fact that those who are classed as farm laborers demanded the highest wages ever known and in many instances would only work 8 hours while the farmers and their families would work 12 and 16 hours, as they were frequently forced to do by weather conditions, and appeals to our Government to aid in marketing farm products were in vain.

One of the greatest expenses a farmer encounters in producing cotton is picking, and Congressman Sanders, of Louisiana, made a speech in Congress a few years ago and produced figures from the United States Department of Agriculture showing that the labor of picking cotton had advanced 1,200 per cent.

During the same war period it has been stated that fully 6,000 strikes in our country were brought on by the labor unions, and some of them were in the employ of the Government producing essentials and incessantly demanding shorter hours and more pay, and there is no question but what this increasing demand for shorter hours and more pay and strikes are more responsible than any other one factor for the high cost of living, and no relief can possibly be secured in the high cost of living until production, hours of labor, and wages resume normal.

I feel confident that the rank and file of the laboring people of the United States wish to do only what is fair and right, and that when they understand these questions as the farmers understand them, they will join hands with the farmers in demanding that some other

method of adjusting difficulties between capital and labor and the manufacturer and mechanic other than unheralded strikes which result in the destruction of property of innocent persons, and in creating hunger, if not actual starvation among millions of helpless citizens, including innocent women and children and hundreds of thousands of babies at the breast.

Right now strikes in New York City are preventing delivery to children of milk produced by farmers, and other farm products can not be delivered on account of strikes in the harbors of New York, Chicago, Mobile, Galveston, and other points, causing a loss to farmers who produce the crops of untold amounts in cash, besides depriving the consumers, largely women and children, of necessary foods.

As to the increased cost of labor, a speech made by Congressman Saunders the other day surprised me, for I thought I was pretty well posted on cotton fields. One of our largest expenses in collecting, gathering, and producing cotton is the picking of it, and he showed that the labor for picking cotton had increased 1,200 per cent. I know no other single expense item that runs up that way. While that has no bearing, in one sense, on this proposed legislation, as I have said, I want to see a "tote fair" basis all the way through, but it should not be overlooked, and must not be overlooked that the farmers of this Nation are the foundation stone of all our commerce, all the war industries, and without them the country would soon wither away, and all the farmers, the agricultural class wants, is a "tote fair" proposition.

I thank you, Mr. Chairman.

The CHAIRMAN. That closes the hearings.

(Whereupon, the committee adjourned subject to the call of the chairman.)





